2279

SUPREME COURT OF THE UNITED STATES.

No. 220.

THE UNITED STATES, APPELLANTS,

vs.

THOMAS POWER'S HEIRS.

APPEAL FROM THE DISTRICT COURT U. S. FOR THE SOUTHERN DISTRICT OF MISSISSIPPI.

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J. & G. S. Gideon, printers.

UNITED STATES OF AMERICA,
Southern district of Mississippi, to wit:

At a district court of the United States, in and for the southern district of Mississippi, began and held at the city of Jackson, on the second Monday of November, A. D. one thousand eight hundred and forty-eight, for the adjustment of land claims, in pursuance of the act of Congress, entitled "An act to provide for the adjustment of land claims within the States of Missouri, Arkansas, and Louisiana, and those parts of the States of Mississippi and Alabama south of the thirty-first degree of north latitude, and between the Mississippi and Perdido rivers." Approved June 17, 1844.

Present, the honorable Samuel J. Gholson, district judge; Thomas Fletcher, marshal; William Burns, clerk.

Among other were the following proceedings, to wit:

F. B. POWER et als.
vs.
THE UNITED STATES OF AMERICA.

Be it remembered, that heretofore, to wit, on the fifteenth day of June, one thousand eight hundred and forty-six, the following petition was filed in the clerk's office of said court, to wit:

To the honorable district court of the United States for the southern district of Mississippi:

The petition of Felicité Blanche Power, the widow of Jean Baptiste Vidal, Thomas Emile Commagere, and of Michael Commagere, the latter herein acting as tutor of his minor children, Josephine Aleidée, Antonia Athenias, and Cecelia Blanch Commagere, all residing in the city of New Orleans, humbly sheweth—

That by an act passed on the 2d of December, 1806, before Stephen de Quinones, then a notary public, in and for the parish of Orleans, in this territory, now State of Louisiana, Prosper Prieur, acting as the testamentary executor of Francisco Cammada, sold to Thomas Power two islands, lying in the Gulf of Mexico, opposite the main land of the State of Mississippi, and forming part of the said State, and known by the names of "Deer island" and "Ship island."

That *that* the said Franciso Cammada received a complete grant to said islands on the first of August, 1787, from Bernardo de Galvez, then the Spanish governor of province of Louisiana, which then extended to the east, beyond said islands.

That already, before the year 1760, said Deer island was occupied, with the verbal consent of the provincial authorities, by Pierre Laclide and Pierre Songy, who on the 11th of September, 1760, sold all their rights to the property thereof, and to the improvements thereon, to Andre Jung; that on the 7th of March, 1761, the said Jung made a similar sale thereof to Ignace Brontin; and that on the 8th of April the said Ignace Brontin sold all the rights he had acquired to the said Francisco

Cammada, who thereafter and for a great length of time occupied the said island.

That said Thomas Power died in the city of New Orleans, in the year 1824, leaving three children, to wit, your petitioner, Felicité Blanche Power, and Josephine Power, then the wife of the petitioner, Michel Commagere, and Robert Alcide Power.

That said Robert Alcide Power having died in the parish of Jefferson, State of Louisiana, in the year 1827, intestate, his right in the aforesaid property *were* inherited by his aforesaid two sisters.

That your petitioner, Felicité Blanche Power, thereafter intermarried with Jean Baptiste Vidal, who departed this life in the city of New Orleans in the beginning of the present year, and that the said Josephine Power, the wife of your petitioner, Michel Commagere, died in said parish of Jefferson, and State of Louisiana, in the year 1837, leaving five children, the issue of her marriage with the said Michel Commagere, to wit, Michel Commagere, jr., Thomas Emile Commagere, and Josephine Aleidée, Antonia Athenais, and Cecilia Blanche Commagere. That Michel Commagere, jr., deceased in the year 1844, and that the other four children are still minors, and herein represented by their aforesaid father and tutor; and that the said four children have inherited the rights of their mother to the said lands, and also the rights of their deceased brother.

The petitioners show that from the premises it appears that they have a complete and valid title to the aforesaid two islands, and that they are entitled to submit the same to this honorable court for inquiry and confirmation, in conformity with an act of Congress, entitled "An act to provide for the adjustment of land claims within the States of Missouri, Arkansas, and Louisiana, and those parts of the States of Mississippi and Alabama south of the thirty-first degree of north latitude, and between the Mississippi and Perdido rivers." Approved on June 17th, 1844.

Wherefore the petitioners pray that the United States of America, by their district attorney for the southern district of Mississippi, be cited, that the aforesaid title of the petitioners to the said two islands be declared valid and confirmed to the petitioners; that thereafter the surveyor general of the United States for the State of Mississippi be directed to ascertain and report whether any, and if so what portion, of said islands, have been sold or otherwise disposed of by the United States, and that for the portion so sold or disposed of the petitioners be authorized to enter an equal quantity of land in any land office in the State of Mississippi.

(Signed) ML. COMMAGERE,
Veuve Vidal, neé Power.
L. JANIN, *Att'y.*

Exhibit A, filed with petition June 15, 1846.

Sépase que yo, D. Prospero Prieur, vecino de esta *a* ciudad, albacea testamentario, y tenedor de bienes de los que han quedado por muerte

de D. Franco. Caminada, otorgo en virtud de mi encargo que vendo realmente y con efecto á Dn. Thomás Power, de este vecindario, la isla de Venados y la de Navíos, situadas frente de la co[s]ta de Biloxi en la Florida occidental, las mismas que huvo por concesion dho. difunto Caminada con tiempo de la domination española en esta prova., segun el título de ambas que he entregado al citado D. Thomas Power, comparador dellas; y e[l]las vendo las dos expresadas i[s]las de Venados y d[e] Navíos, con toda la extension de tierra que tienen sus entradas y salidas, usos, co[s]tumbres, dros., y se[r]vidumbres que les pertenecen, y por libres de gravámen, como sobre hecho conso. por cerla. al anotador de hipotecas, en precio ambas de un mil y setecientos pesos, que me ha de pagar en esta prov'a: ochocientos y cinquenta pesos dentro de seis meses desta fha., y los ochocientos y cinquenta pesos restantes al complemento de la totalidad dentro de un año de esta propia fha.: mediante lo qual aparto y separo á dha. succession Caminada del dro. de propiedad, posesion, útil, señorio, y demas acciones reales y personales, que á dhas dos islas de Venados y de Navíos habia y tenia, y todo lo cedo, renuncio, y traspaso en el citado Dn. Thomás Power, y en quien su causa hubiere, para que, con suias proprias adquiridas con legítimo título de compreda, las posea, venda, ó enagene á su voluntad, en virtud de esta escritura que á su favor otorgo en señal de real entrega, con lo que es visto habre adquirido su posesion, sin que necesite de otra prueba de que le relevo: Y obligo dha. succesion á la segurida[d] y saneamento de esta venta en bastante forma de dro., y como mas convenga á favor del comprador, con los bienes presentes y futuros de dha. succesion de Caminada, con poderío y succesion de *pu ivas*, y renunciacion de las leyes de su favor y la general del derecho en forma.

Y estando presente yo, el enunciado D. Thomás Power, acepto á mi favor esta escritura, y por desta recibo compradas las indicadas dos islas de Venados y de Navíos, por el precio y conformidad que me han vendidas, de estas me doy por entregado á mi voluntad, renuncio la prueba, leyes á la entrega, las de la *mas* no vista ni recibida, *doloy* demas del caso de que otorgo recibo en forma. Y me obligo á pagar al nominado D. Prospero Prieur, ó á quien sus dros. representare, los indicados un mil y setecientos pesos, montante de las dos islas ya citadas, á los plazos de seis meses de esta fha. la mitad que hace la de ochocientos y cinquenta pesos, y dentro de un año de esta misma fha. la otra mitad que forma la de ochocientos y cinquenta pesos, pa. complemento de los un mil y setecientos pesos, montante de esta venta munimento y sin *plus o* alguno, con las costas de la cobranza que por defecto de pagamento se ocasionaren, por que se me ha de poder executar con esta escritura, y el simple permiento de quien fuere parte legítima al cumplimto. de cido. plazo, y sin otra prueba de que le relevo: A cuia primera obligo mis bienes presentes y futuros, con poderío y succesion de pentucas, contrato executorio, renunciacion de las leyes de mi favor y defenza, y la general que lo prohibe. En cuio testimo., es fha. la carta en esta ciudad de la Nueva Orleans, á dos de Diciembre de mil ochocientos y seis años, y el trigesimo-primo de la independencia Americana.

Yo, el notario púlo. doy fé conosco á otorgantes, que así lo pactaron, convinieron, y firmarom con los tgos., que lo fuero[n] D. Claudio Belangey y D. Andrés Chartant, vecinos y pres'tes.

PROSPERO PRIEUR,
THOMAS POWER.

BELANGEY, *testigo*,
A. CHARTANT, *témoin*.

STEPHEN DE QUINONES, *Notaire Publio.*

Certifico que la copia anterior es conforme á su original que queda en el archivo de mi cargo, á que me refero; y á pedimento de parte doy la presente en esta ciudad de la Nueva Orleans, á dos Diciembre de mil ochocientos y seis años, y el trigesimo-primo de la independencia Americana, que firmo y sello con el sello de mi oficio.

[L. S.] (Signed) STEPHEN DE QUINONES, *Not. Pub.*

Los notarios públicos de esta ciudad y territorio de Orleans, baxo firmados, certificants, y damos fé que D. Stephen de Quinones, de quien el documento anterior parece firmado y sellado, es notario público de esta dha. ciudad y territorio de Orleans, que á todos sus semejantes siempre se les ha dado y da entera fé y crédito en ambos *pacios*; que es fiel, legal, y de confianza; que use y *eviuce* su oficio con general aprobacion; y, para que conste en lo, atestamos, firmamos, y sellamos con el sello respectivo de mi *senro* oficio en esta ciudad de la Nueva Orleans, á tres Diciembre de mil ochocientos y seis años, y el trigesimo-primo de la independencia de los [Estados] Unidos de América.

Exhibit B, fied with petition 15th June, 1846.

Dn. Bernardo de Galvez, cavallero pensionado de la real y distinguida órden Española de Cárlos Tercero, coronel de los reales exércitos, gobernador, yntendente é inspector general de esta provincia de la Luisiana, &c.

Vistas las antecedent[es] diligencias practic[ad]as por Dn. Franco. Caminada, pr. las qe. consta el dro. qe. tiene sobre la pocesion de las dos islas de Venados y de Navíos, situadas frente la costa de Biloxy, reconociendo estar regladas al órden de agrimensura, sin causa[r] perjuicio á los zircunvecinos, ni que lo haya reclamado antes bien consentido segun justifica su asistencia á dichas operaciones, aprovándolas como las aprovamos, usando de la facultad que el Rey nos tiene conferida, otorgamos en su real nombre, al citado Dn. Franco. Caminada la pocesion de las citadas dos islas de Venados y de Navíos, para que como propios disponga de ellas y las usufrutes, reglándose á dichas diligencias, y observando en todo lo dispuesto por el reglamento del asunto. Damos la presente, firmada de nuestro puño, sellada con el sello de nuestras armas, y refrendada del infrascripto secretario por Su Magestad de este govierno, en la Nueva Orleans, á primo de Agto. de 1781.

[L. S.] (Signed) BDO. DE GALVEZ.

Por mandado de su señoría:

(Signed) MANL. ANDRES LOPEZ DE ARMESTO.

Registrado en el libro de registro, que sirve para dha. fin en el oficio de mi cargo á foxas catorse buelta.

Na. Orleans y Noviembre 8 de 1781.

(Signed) LEONARDO MAZANGE,
Esno. de Gno. Cabdo. y Pco.

Exhibit C, filed with petition June 15th, 1846.

Nous, soussignés, Pierre La Clède et Pierre Songy, d'une part, et André Jung, d'autre part, reconnaissons avoir fait ensemble, et entre nous, les échanges, permutation, cession, et transports réciproques des terres et choses cy-après déclarées, avec promesses de garantie réciproque de morts-faits, et promesses seulement, sçavoir:

Nous, Pierre La Clède et Pierre Songy, susdits et soussignés, donnons et délaissons au Sieur André Jung, ce acceptant pour luy, ses hoirs ou ay[ant]-causes, pour en jouir et en prendre possession au commencement du mois de May de l'année prochaine, mil sept cent soixante ans, l'isle aux Chevreuils, avec les bâtimens, parcs, clôtures, et toutes ses dépendances, telle et ainsy qu'elle se poursuit et comporte, sans en rien réserver ni retenir, luy cédant et abandonnant toutes mes prétentions généralement quelconques sur la dite isle et dépendances, pour par luy en jouir, faire, et disposer, autant de temps qu'il plaira à Messieurs les gouverneur et ordonnateurs de cette province de lui laisser, attendu que cette isle n'a été concédée à personne, et dont nous luy remettrons la vente qu'il nous en avons faite le dix-sept Mars dernier, ainsy que celle à luy faite par Chatelain.

Pour laquelle isle et dépendances cy-dessus détaillées, moy, André Jung, susdit et soussigné, je donne et délaisse en contre-échange aux Sieurs Pierre Clède et Pierre Songy, ce acceptant pour eux, leurs hoirs ou ayant-causes, et aux mêmes charges, clauses, et conditions cy-dessus détaillées, la terre que j'occupe à l'autre bord du lac Pontchartrain sur la rive du bayou Pontfoucas, vis-à-vis de la vacherie de la dame veuve Rilleux, la dite terre nommée la Goldconerie, ensemble tous les bâtimens qui sont dessus, tel et ainsy que le tout se poursuit et comporte, circonstances et dépendances, sans en rien réserver ni retenir, et dont il leur sera libre de se mettre en possession au commencement du mois de May de l'année prochaine, mil sept cent soixante-un, pour jouir par eux, faire et disposer, aux mêmes conditions qu'ils m'ont cédé leur isle, attendu que la terre que je leur cède ne m'a point été concédée, n'en ayant aucun titre.

Ces présens échanges, permutations, cessions, et transports, faits entre nous bec-à-bec, sans aucune soulte ni retours de part et d'autre, et dont nous sommes contens [et] satisfaits. Fait le présent double à la Nouvelle-Orléans, le onzième Septembre, mil sept cent soixante, présence des témoins soussignés.

(Signed) JUNG,
LA CLEDE,
SONGY.

SAISIREZ, *témoin.*
A. HOMASSINE, *témoin.*

May, André Jung, soussigné, reconnais et confesse avoir ce jourd'huy cédé, quitté, transporté, et délaissé à Monsieur Ignace Brontin, ce acceptant, l'isle aux Chevreuils, avec les bâtimens, parcs, clostures, et toutes ses dépendances, en l'état que le tout se poursuit et comporte, sans en rien réserver ni retenir, pour par lui en jouir, faire et disposer du tout, au commencement du mois de May prochain, et ce pour autant de temps qu'il plaira à Messieurs le gouverneur et ordonnateur de cette province, attendu que cette isle n'a encore été jusqu'à présent concédée à personne, la possession et jouissance d[e l]'isle n'ayant été accordées que par permission verbale, luy cédant et abandonnant tous les droits et prétentions que je puis avoir sur scelle, le mettant pour raison de ce en mon lieu et place, sans néanmoins d'autre garantie que celle de mes faits et promesses seulement; promettant et m'obligeant de transporter, fournir et livrer sur la dite isle, à mon dit Sieur Brontin, la quantité de neuf mères-vaches jeunes et bien franches, avec un jeune taureau, dans le courant du mois de Juin prochain, pour tout délay; pour le payement de laquelle isle et dépendances, et des bestiaux cy-dessus mentionnés, je reconnais et confesse avoir reçu, ce jourd'huy, comptant, de mon dit Sieur Brontin, en billets du trézor, monnoye de cette colonie, la somme de deux mille sept cent livres, dont je le tiens quitte et décharge, à la Nouvelle-Orleans, le septième Mars, mil sept soixante-un.

(Signed) JUNG.

Je, soussigné, Ignace Brontin, dénommé au marché cy-dessus et cy-contre, reconnais et confesse avoir ce jourd'huy fait cession, transporté et abandonné [le] marché cy-dessus à [obliterated] Carminada [illegible] pour prix et somme de cinq mille livres, qu'il m'a présentement payés comptant, en billets du trézor, monnoye de cette colonie, et dont je le tiens quitte et décharge, au moyen de quoy je le mets et subroge en mon lieu et place, aux mêmes clauses et conditions mentionnées au dit marché, promettant et m'obligeant de fournir et livrer sur l'isle aux Chevreuils, dont il est parlé au dit marché, à mon dit Sr. Caminada, la quantité de douze brebis, deux truyes et un verrat, dans tout le courant du mois de Juin prochain, dont le payement est compris dans la susdite somme de cinq mille livres, au moyen de quoi il demeurera bien et [en] libre possession de la dite isle, aux conditions stipulées au dit marché, ainsi que le tout ce qui en dépend, et des dix bêtes à corne y mentionnées, pour par lui en faire et disposer en toute propriété, et comme de chose à luy appartenante. A la N'elle-Orléans, le huitième Avril, mil sept cent soixante-un.

(Signed) BRONTIN.

J'ai reçu de Monsieur Brontin les moutons et cochon mentionnés cy-dessus, à la N'lle-Orléans, de 20 Juillet, 1761.

(Signed) CAMINADE.

J'ai reçu de Monsieur Jung les neuf mères-vaches et le jeune taureau, mentionnés dans son obligation cy-contre, la Nouvelle-Orléans, ce 22 8bre, 1761.

(Signed) CAMINADE.

Je ratifie avoir reçu de Monsieur Jung les neuf mères-vaches et le jeune taureau, mentionnés dans son obligation de l'autre part à la N'lle-Orléans, ce 22 8bre, 1761.

(Signed) CAMINADE,
Pour ratification de l'autre part.

Afterwards, to wit, on the 27th day of July, A. D. 1846, the following citation issued:

The President of the United States, to the marshal of the southern district of Mississippi, greeting:

You are hereby commanded to summon the United States of America to be and appear before the district court of the United States in and for the southern district of Mississippi, at a court to be held in the city of Jackson, on the second Monday in November next, to answer a certain petition, filed in said court against the said United States of America by Félicité Blanche Power, the widow of Jean Baptiste Vidal, Thomas Emile Commagere, and *of* Michel Commagere, the latter herein acting as tutor of his minor children, Josephine Aleidee, Antonia Athenais, and Cecilia Blanche Commagere, all residing in the city of New Orleans; and herein fail not, and have you then there this writ.

Witness the honorable Samuel J. Gholson, judge of the said district court, at Jackson, this twenty-seventh day of July, A. D. [L. S.] 1846, and in the 71st year of our independence.

WILLIAM BURNS, *Clerk,*
Southern district of Mississippi.

Upon which process the marshal made the following return:

Executed on R. M. Gaines, United States district attorney, and delivered him a copy of petition, October 3d, 1846.

Signed, THOMAS FLETCHER, *Marshal.*
Per RICHARD FLETCHER,
Deputy Marshal.

Afterwards, to wit, at a district court of the United States, for the district aforesaid, held at the city of Jackson, on the second Monday of November, A. D. 1846, the following order was entered of record, to wit:

It is ordered by the court, on motion of petitioners' counsel, that they have leave to amend their petition.

Amended petition, filed November 11th, 1846.

FELICITE BLANCHE POWER, the widow Vidal, et al.
vs.
THE UNITED STATES OF AMERICA.

The amended petition of Felicite Blanche Power, widow of Jean Baptiste Vidal, and Thomas Emilie Commagere, Josephine Aleide Commagere, Antonia Athenias Commagere, and Cecilia Blanch Commagere, which said Thomas, Josephine, Antonia, and Cecilia, are the children and heirs at law of their mother, Josephine Power, late the

wife of Michel Commagere, and whom being infants, petition by aid of their father, the said Michel Commagere, as their tutor and next friend. By leave of the court first had and obtained, represent, that on the 15th June last they filed in this court their certain petition setting forth their claim to two several parcels of land, known as Ship and Deer islands, situate in the Gulf of Mexico, east of the Island of New Orleans, lying within the State of Mississippi, opposite to the shore of that part of the State comprised in Harrison county. Your petitioners then filed, as the foundation of their title, a complete original grant from the Spanish governor, Galvez, of date 1781, which, by mistake in said petition, they had heretofore represented as of date 1787.

Your petitioners would further represent, that at the time of said grant the said Francisco Caminada, the grantee, was an inhabitant of the province of Louisiana, and as such afterwards lived and died. Your petitioners state as their information and belief, principally derived from the recitals in the original grant, that before said grant was made a previous order of survey was duly executed for the said Caminada of both islands, under proper authority, but which surveys are not now possessed by your petitioners, but will be produced on hearing hereof, if the same can be obtained. They represent also, that, since filing their original petition in this case, the surveyor general of the State of Mississippi, acting as is presumed under instructions from the Treasury Department of the United States, is now executing, by a deputy surveyor, a survey of both these islands, but which survey is not yet returned, but if returned in time will be exhibited on hearing hereof. Petitioners cannot, therefore, represent with any precision the quantity of lands in these islands respectively, but on conjecture would represent that they estimate Deer island as containing about 2,000 acres, and Ship island about 3,000 acres of land.

Your petitioners have no knowledge or information of any adverse claim of title to either of these islands, or any part thereof, save and except transient and temporary squatters, who from time to time have occasionally occupied parts of each island. But they represent that so far as informed and believe the United States only can make any pretence of claim adverse to your petitioners.

They further represent, that they have no knowledge or belief that the title of your petitioners was ever presented by their ancestor to any board of commissioners whatever; nor do they know any reason why it was not done, except, perhaps, the prevalent opinion which obtained in Louisiana where petitioners' ancestor lived, that the title was sufficient and complete without such process and authentication. Your petitioners, however, being advised that the land offices of the United States have regarded these islands as public lands, have seen the necessity of presenting their claim to your honorable court for its confirmation; and, praying as heretofore, will, as in duty bound, ever pray, &c.

Signed, LOUIS JANIN,
And JOHN HENDERSON,
Attorneys for Petitioners.

Whereupon the following order was entered of record:

Leave is given to defendants to file their answer within sixty days; and further, it is agreed by the parties, that this cause be considered at issue, for the purpose of taking testimony, and commission opened until next session of this court. And this cause was then continued.

Answer of defendants, filed January 13th, 1847.

The answer of the United States of America to the petition of Felicite Blanche Power, widow of Jean Baptiste Vidal, Thomas Emilie Commagere, and of Michel Commagere, acting as tutor of his minor children, filed in the district court of the United States, for the southern district of Mississippi, on the 15th June, 1846, and to the amended petition of the same parties, and of Thomas, Josephine, Antonia, and Cecilia, representing themselves in said amended petition as the minor children of Josephine Power, wife of the said Michel Commagere, said petition and amendment being filed in said court, sitting in virtue of the act of Congress of June 17, 1844, for the trial of Spanish claims.

These respondents answering say, that the said original petition was not filed in said court within the time limited by the act of Congress of 1824, and the several acts amendatory and supplementary thereto revived by the said act of 1844, and that said amended petition not having been filed until the 11th November, 1846, the said minor children of Josephine Power, wife of Michel Commagere, are forever barred and precluded from the institution of any suit against respondents, who rely upon the act of Congress of May 23d, 1828, as limiting the right to one year from the passage of the act; but if it should be decided that the limitation is two years, as provided in the act of 1824, they still insist that the right or claim of said infants is barred, their amendment to the petition not having been filed within two years from the passage of the act of 1844. Respondents rely upon these several acts of Congress in bar of any claim of the said petitioners as fully and completely as if the same were more formally relied upon by plea or demurrer, and insist that this court has no jurisdiction or right to take cognizance of this cause.

Respondents further answering deny, that said Francisco Caminada received a complete grant to Deer and Ship islands from the Spanish governor of the province of Louisiana, on the 1st August, 1781, as stated in said petition. They deny the sale of said islands by the testamentary executor of said Caminada to Thomas Power as stated in said petition; but if such a sale ever was made, they deny the right of such testamentary executor to make such a sale, or to divest the rights of the heirs of said Caminada, or pass any title to the said Thomas Power; they know nothing of any such sale from Pierre la Clede and Pierre Songy to Andre Jung, or of a similar sale by Jung to the said Caminada, as set forth in said petition, and require full proof as the court may direct. They know nothing of the statement in said petition of the death of said Thomas Power, or of the children or grand children surviving him, but require full proof of the identity and rights of the par-

ties claiming. They know nothing of the death of the said Michel Commagere, or of the children left by him, but require proof and rely as before on the limitation contained in the acts of Congress referred to, as barring all the parties, but especially the children of the said Michel, if they are proved to have any existence.

Respondents further answering deny, that the said Francisco Caminada, at the time of said grant in 1781, was an inhabitant of the then province of Louisiana, or that he lived and died there, and of the statements in said amended petition they require proof. They deny any order of survey was duly executed for the said Caminada of said two islands under proper authority previous to the date of said supposed grant, and if any such survey was made, they require its production and proper legal proof of its authenticity.

Respondents further answering say, that the allegations in said petition and amendment are not sufficient, if true, to authorize any decree or judgment of this court against them, and they rely on this objection and claim the benefit of it in the same manner as if it were relied upon by a formal demurrer.

Respondents having fully answered ask that the said petition may be dismissed, &c.

(Signed) R. M. GAINES, *U. S. Atty.*

Afterwards, to wit, at a district court of the United States, for the district aforesaid, held at the city of Jackson, on the 12th day of May, 1847, the motion of R. M. Gaines, esquire, district attorney, to dismiss the above entitled cause, is argued by counsel on both sides.

Whereupon, all and singular the premises being seen, heard, and by the court here fully understood, and mature deliberation being thereupon had, it is ordered by the court that the motion to dismiss be overruled; and, on May 13th, 1847, it is ordered by the court that "the commission for taking testimony be open until the next session of this court, and that the cause be continued."

Afterwards, to wit, at a district court of the United States, for the district aforesaid, held at the city of Jackson, on the 9th day of November, A. D. 1847, it is ordered by the court that the commission for taking testimony in this cause be open until the next session of this court, and that the cause be continued on application of petitioners.

Afterwards, to wit, at rules, on the first Monday of May, 1848, the defendants, by their solicitor, filed their exceptions, which exceptions are in the words and figures following, to wit:

In the district court of the United States, for the trial of Spanish grants under the act of 1844.

HEIRS OF POWER
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The defendants except to the documents marked A, B, C, filed with the petition, as evidence in this case, on the ground that the same are

not proved or authenticated sufficiently to entitle the petitioners to use them as proof in this case.

(Signed) R. M. GAINES.

May 1st, 1848.

The following depositions and other proofs were read at the hearing of this cause, viz:

In district court of United States, for district of Mississippi, April, 1847.

HEIRS OF POWER vs. UNITED STATES.

Interrogatories propounded by the plaintiffs to Edward Lauve, Felix Grima, and Louis Bringier, and to either and each of them, all citizens of New Orleans, whose answers, when obtained, are intended to be used in evidence on trial of the above entitled suit:

Interrogatory 1st, to all the witnesses. Please state your age, profession, your present residence, and where you have generally resided during your life.

2d. Are you well acquainted with the Spanish language, and especially are you well acquainted with the technical and idiomatic expressions and phrases in Spanish grants of land?

3d. Please render into English the paper herewith marked (A,) and purporting to be a copy of a Spanish grant. On the supposition that it is a correct copy, please translate its full and proper meaning into English.

4th. If there be any words or phrase that could raise a doubt that the grant was of a usufruct instead of full title, please explain them fully.

5th. Did you ever see or hear of a Spanish grant in Louisiana of a usufructory in the public lands; and do you not know that no such grants were ever made?

6th. Did you ever know or hear of the grantee, Francisco Cominada; and where did he live and die?

7th. Did you ever know Prosper Prieur in his lifetime; and do you know, by general report, that he was the father of Dennis Prieur, the present collector of the city of New Orleans?

8th. Did you know Thos. Power, of New Orleans; and did you know, or have you heard, of his claiming Deer and Ship islands, on the coast of the State of Mississippi, as purchased from Prosper Prieur, executor of Francisco Cominada? State all you may know on this subject.

(Signed) JOHN HENDERSON,
Attorney for plaintiffs.

Agreed to waive commission and further notice, on condition that the name of Ed. Lauve, translator for the Federal court in New Orleans, shall be inserted with those of the other witnesses, and his answers taken to the interrogatories, and his translation of the paper ap-

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pended. All legal objections to the competency of the interrogatories and evidence reserved.

April 26th, 1847.

(Signed) R. M. GAINES, *U. S. Atty.*

The depositions to be taken before Wm. Christy or H. B. Cenas, notaries public in New Orleans.

(Signed) R. M. GAINES.

Paper marked (*A.*)

Dn. Bernardo de Galvez, cavallero pensionado de la real y distinguida orden Española de Carlos Tercero, coronel de los reales exercitos, gobernador yntendente é ynspector general de esta provincia de la Louisiana, &c.

Vistas las antecedentes diligencias practicadas por Dn. Franco. Caminada, pr. las qe. consta el dro. que tiene sobre la pocesion de las dos islas de Venados y de Navíos, situadas frente la costa de Biloxy; reconociendo estar regladas al órden de agrimensura, sin causar perjuicio á los circunvecinos, ni que lo hayan reclamado antes bien consentido segun justifica su asistencia á dichas operaciones, áprovandolos como las aprovamos, usando de la facultad que el Rey nos tiene conferida, otorgamos en su real nombre al citado Dn. Franco. Caminada la pocesion de las citadas dos islas de Venados y de Navíos, para que como propias disponga de ellas y las usufrute, reglándose á dichas diligencias, y observando en todo lo dispuesto por el reglamento del asunto. Damos la presente, firmada de nuestro puño, sellada con el sello de nuestras armas, y refrendada del infrascripto secretario por Su Magestad de este govierno, en la Nueva Orleans, á primo de Agte. de 1781.

(Firmado) BDO. DE GALVEZ.

Por mandado de su señoría.

[L. S.] (Firmado) MANL. ANDRES LOPEZ DE ARMESTO.

Registrado en el libro de registro qe. sirve para dha. fin en el oficio de mi cargo, á foxas catorse buelta.

Na. Orleans y Novembre 8 de 1781.

(Firmado) LEONARDO MAZANGE,
Esno. de Jno. Cabdo. y Pco.

UNITED STATES OF AMERICA,
Southern district of Mississippi, ss:
District court.

I, William Burns, clerk of said court, do certify, that the foregoing is a true copy of the paper marked B, filed in a certain suit now pending in said court between F. B. Power et al., petitioners, and the United States of America, defendants.

Witness my hand and seal of said court, at Jackson, this 30th day of July, A. D. 1846.

[L. S.] (Signed) WM. BURNS, *Clk.*

Deposition of Edward Lauve, a citizen of the city of New Orleans and State of Louisiana, taken by me, Hilary Breton Cenas, a notary public in and for the city and parish of New Orleans, State of Louisiana aforesaid, duly commissioned and qualified, on this seventh day of May, in the year of our Lord one thousand eight hundred and forty-seven, at my office in said city of New Orleans, and to be read in evidence, by consent of parties, in a certain case now pending in the district court of the United States for the district of Mississippi, wherein the heirs of Power are plaintiffs, and the United States of America are defendants.

The said Edward Lauve, having been first duly cautioned and solemnly sworn, did depose and say, in answer to the annexed interrogatories, as follows, to wit:

To the first interrogatory he says: That he is forty years of age, is translator of the United States district court, and resides in the city of New Orleans, where he has generally resided during his life.

To the second interrogatory he says: That he is well acquainted with the Spanish language, and thinks that he is well acquainted with the technical and idiomatic expressions and phrases used in Spanish grants of land, having translated a great number of documents during the last two years.

To the third interrogatory he says: That, pursuant to the request contained therein, he has translated into English the paper referred to marked (A,) and hereunto annexed the said translation, marked B.

To the fourth interrogatory he says: That he considers the grant referred to a full title.

To the fifth interrogatory he says: That he never saw or heard of a Spanish grant in Louisiana of a usufructuary in the public lands.

To the sixth interrogatory he says: That he never heard of the person named in said interrogatory.

To the seventh interrogatory he says: That he never knew Prosper Prieur.

To the eighth interrogatory he says: That he did not know Thomas Power of New Orleans.

And hereunto subscribes his name.

(Signed) ED. LAUVE.

I, Hilary Breton Cenas, a notary public in and for the city and parish of New Orleans and State of Louisiana, duly commissioned and qualified, do hereby certify, that Edward Lauve, the above named witness, was by me duly sworn to testify the *the* truth, the whole truth, and nothing but the truth, and that the foregoing deposition by him subscribed was reduced to writing by me, and taken at the time and place set forth in the caption hereof.

In witness whereof I have hereunto set my hand and seal of office, on this seventh day of May, eighteen hundred and forty-seven.

[L. S.] (Signed) H. B. CENAS, *Not. Pub.*

B.

Don Bernardo de Galvez, knight pensioner of the royal and distinguished Spanish order of Charles the Third, colonel of the royal army, governor, intendant, and inspector general of the province of Louisiana, &c., &c.

Considering the foregoing acts performed by Don Francisco Caminada, which establish the right of possession which he has to the two islands, "Deer and Ship," situated in front of the coast of Biloxy, recognising them to have been made out agreeably to the order of survey, without causing prejudice to the neighbors adjoining, and without any opposition on their part; on the contrary, yielding, as it appears, their assistance to the said acts, approving them as we do approve them, therefor using the authority which the King has confided to us, we grant in his royal name, to the said Don Franco. Caminada, the possession of the aforesaid two islands, Deer and Ship; that as his own property he may dispose of them, and enjoy them, governing himself by said acts, and observing in everything that which has been ordered for the settlement of the subject matter.

We give these presents, signed with our hand, sealed with the seal of our arms, and countersigned by the undersigned secretary of his majesty for this government.

In New Orleans, on the first day of August, 1781.

(Signed) BERNARDO DE GALVEZ.

By order of his excellency:

(Signed) MANUEL ANDRES LOPEZ DE ARMESTO.

Registered in book of records for said object, in the archives of my office, at folio 14. New Orleans, November 8th, 1781.

(Signed) LEONARD MARANGE, *Notary*.

HEIRS OF POWERS
vs.
UNITED STATES.

District court of the United States for the district of Mississippi, March, 1848.

Interrogatories propounded to Leonard Wiltz, a citizen of New Orleans and State of Louisiana, also to J. Zenon Trudeau and S. L. Johnson, esq., the said Trudeau and Johnson being likewise citizens of the same city of New Orleans, all witnesses for plaintiffs in the above entitled suit; and whose answers, when obtained, are intended to be read in evidence in the above entitled cause.

Interrogatory 1st, to Leonard Wiltz. Where do you reside, and how long have you resided in the State and city of your present residence?

2d. What is your age?

3d. Did you or not ever know Francis Caminada; and, if yea, when; where did he live; is he now living or dead; and, if dead, when and where did he die?

4th. Did he live in Louisiana during the administration of the Spanish government, and how long; and was he a man of family; and if of good character and standing in society?

5th. Did he or not die before the United States got possession of Louisiana; and do you or do you not know who was the executor of his estate; and was the administration of said estate had or begun under the Spanish government?

6th. Did you or not know Prosper Prieur; where did he live, and when did he die; and was he or not the reputed testamentary executor of Fs. Caminada?

(Signed) JOHN HENDERSON,
Attorney for plaintiffs.

Cross interrogatory.

Have you any interest in the event of this suit, direct or remote? If so, state particularly what it is.

(Signed) R. M. GAINES,
U. S. attorney.

Interrogatories to J. Zenon Trudeau.

1st. Did you or not know Thomas Power in his lifetime; where did he live, and when and where did he die?

2d. Do you know if Francis Power was ever married; if so, to whom; and is his widow living or dead?

3d. Did Thomas Power and his wife leave any children? If so, specify their names.

4th. Are all of said children living at this time? or, if any be dead, specify which, and state if such as are dead have left children as heirs of said deceased, and specify the names of such children.

5th. If you know all the heirs of Thomas Powers who are now living, specify their names at length, and particularly.

(Signed) JOHN HENDERSON,
Attorney for plaintiff.

Cross interrogatory.

Have you any interest in the event of this suit, direct or indirect? If you have, state particularly what it is.

(Signed) R. M. GAINES,
U. S. attorney.

Interrogatories to S. L. Johnson, esq.

1st. Have you not, as agent or attorney for the heirs of Thomas Power, made examination for the mortuary proceedings had by Prosper Prieur on the estate of Francis Caminada? If yea, state to what extent you have made your inquiries and researches, and to what extent successful.

2d. If you have not been successful, please state the reasons why.

3d. Have you or not found in your researches any executive or judi-

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cial acts of recognition of the said Prosper Prieur as testamentary executor of Caminada, which acts of recognition would tend to prove the representative character of Prieur? If yes, specify them.

4th. In consideration of the laws of Louisiana, are not such acts equivalent in proof of Prieur's executorial character, to that furnished by the mortuary proceedings in the probate court?

(Signed) JOHN HENDERSON,
Attorney for complainants.

Cross interrogatories to S. L. Johnson, esq.

1st. What is your profession?

2d. Have you any interest, direct or indirect, in the event of this suit?

3d. If you answer the 3d and 4th interrogatories of plaintiff in the affirmative, please state specifically what the executive or judicial acts were; are they matters of record? And, in regard to the effect of such acts by the laws of Louisiana, please state the ground of any opinion you may express; and, if it is founded on any provision in the code or statutes of Louisiana, annex to your answer quotations from the code or statute on which you rely in support of your opinion, and refer to the book and page from which they are taken.

(Signed) R. M. GAINES,
U. S. attorney.

Notice waived, and agreed that the depositions of the witnesses may be taken before F. N. Haraldson, U. S. commissioner, on the foregoing interrogatories and cross ones, reserving all legal exceptions to the competency of the interrogatories and testimony.

Natchez, April 4, 1848.

(Signed) R. M. GAINES,
U. S. attorney.

HEIRS OF THOMAS POWERS, deceased,
vs.
THE UNITED STATES.

District court of the United States for the southern district of Mississippi.

By virtue of the agreement and consent of the counsel, as well for plaintiffs as defendants, in the above entitled cause, annexed to the foregoing interrogatories and cross interrogatories accompanying this deposition, I have caused to come before me, at New Orleans, in the district of Louisiana, this 19th day of April, A. D. 1848, the following witnesses for complainants, to wit, Leonard Wiltz and Zenon Trudeau; and the said Leonard Wiltz, being a person of sound mind and lawful [age,] having been by me first cautioned, sworn, and examined on the annexed interrogatories, did depose and say:

To interrogatory 1st, answers: That he resides in the city of New Orleans, State of Louisiana; was born in said city, and always resided therein.

To interrogatory 2d: That he is upwards of seventy years of age.

To interrogatory 3d: That he knew Francis Caminada while deponent was a boy; that said Caminada resided in the city of New Orleans, at the corner of Conti and Bourbon streets, where he was merchandising; said Caminada was considered an old inhabitant of the country; said Caminada is dead; he died under the administration of the Spanish government, and while Miro was governor of the province; deponent believes he died in the city of New Orleans

To interrogatory 4: That Caminada lived in Louisiana under the administration of the Spanish government up to his death; deponent was young at the time, but understood that Caminada enjoyed the reputation of an honest man, and stood well in society; knows nothing of his family.

To interrogatory 5th: That Caminada died before the United States took possession of Louisiana. Does not know who was the executor or representative of Caminada's estate, but well recollects the sale which was made of his estate, (that is, his personal estate,) after his death, and this sale was made under the administration of the Spanish government.

To interrogatory 6th: Deponent knew Prosper Prieur under the administration of the Spanish government; he knew him also since the province of Louisiana was acquired by the United States; said Prieur died under the administration of the American Government; he was the father of Dennis Prieur, the present collector of customs at the port of New Orleans.

Cross interrogatories.

Cross interrogatory 1st: That he has no interest whatever in the result of the present controversy, nor has any of his family.

(Signed) LEONARD WILTZ.

Sworn to and subscribed before me at New Orleans, this 19[th] day of April, A. D. 1848.

(Signed) F. N. HARALSON,
Commissioner.

And thereupon came and appeared at the same place, and on the same day, and in pursuance of the same authority, before me, J. Zenon Trudeau, a person of sound mind and lawful age, who being by me first duly cautioned, sworn, and examined on the annexed interrogatories to him propounded in the cause styled in the caption, did depose and say:

To interrogatory 1st: That he knew Thomas Power well; he was deponent's brother-in-law; said Power resided in New Orleans, and died there. He died some time between the years 1820 and 1823.

To interrogatory 2d: Deponent knows that Thomas Power was a married man; he married Josephine Trudeaux, deponent's sister. Thomas Power never was married but once; his wife, deponent's sister, died in 1812.

To interrogatory 3d: Thomas Power and deponent's sister had, by their intermarriage, several children, but three only survived the death of Thomas Power, namely, Josephine, Alcide, and Felicite Blanch Power.

To interrogatory 4th: Of the three children of Thomas Power above specified, but one is living, namely, Felicite Blanch Power, now widow Vidal, without children; one other of said children, namely, Alcide, died during his minority, without children, shortly after the death of his father. The third child, Josephine, intermarried with Michael Commagere; had children by him; died about the year 1832, leaving five children her surviving, namely, Michael, and Emile, J. Alcidie, Antonio, and Blanche Commagere; Michael is dead; he died during his minority.

To interrogatory 5th: The only heirs of Thomas Power now living are Felicite Blanche Power, now widow Vidal, daughter of said Thomas Power, and J. Emile, J. Alcidie, Antonia, and Blanch Commagere, children of Josephine Power and Michael Commagere.

Answer to cross interrogatories.

To cross interrogatory 1st: That he has no interest direct or indirect in the present controversy. And further this deponent sayeth not.

(Signed) J. Z. TRUDEAU.

Sworn and subscribed before me at New Orleans, this 19th April, 1848.

(Signed) F. N. HARALSON,
Commissioner.

And thereupon, on the same day and year, came Sidney L. Johnson, a witness for the complainants, under and by virtue of the same authority, who being by me first duly cautioned, sworn, and examined to speak the whole truth, did depose and say, in answer to the annexed interrogatories and cross interrogatories:

To interrogatory 1st. Deponent, as attorney at law of Michael Commagere, whose children he understands to be children of Thomas Power, made a search in the three notarial offices in New Orleans, in which the records of mortuary proceedings were kept prior to the cession of Louisiana, and has been unable to find any mortuary proceedings in the name of Francis or Fricisco Caminada.

To interrogatory 2d. Deponent says, that the estate of said Caminada may have been opened in some other parish of the province of Louisiana.

To interrogatory 3d. Deponent says, that in the notarial office now kept by Octave de Armas, in New Orleans, in which are the records of one of the three offices above mentioned, as kept under the Spanish government, deponent found an act of acquittance, or receipt, for $600, passed by Prospero Prieur, as testamentary executor of Francisco Caminada, in favor of Ester and Robert de la Morandiere, being in part payment of a sum of $955 dollars and four reals or bits, due by the said

la Morandiere to the succession of Francisco Caminada. This act was passed before Carlos Ximenes then incumbent of said notarial office, on the 16th January, 1799, and a copy of it under the notarial seal of Octave de Armas, present incumbent of said notarial office, is hereto annexed. Deponent also found at the notarial office of Louis T. Caire, in which the archives of one of the three offices existing under the Spanish government of Louisiana, are, in the index of suits or records of suits, the following, under the date 1785. Caminada, Dn. Francisco, succession de este contra Don Pedro de la Gautrais y Dna. Carlota Billanch su muger, 3011. Deponent, together with the said notary, Louis T. Caire, and his clerks, made thorough search for the record of said suit, and to this day have been unable to find it. Deponent saw the numbers 3010 and 3012, that is, the records of suits immediately preceding and following the said missing record, No. 3011. Deponent had his attention directed to this record as one in which Prosper Prieur acted as testamentary executor of said Caminada by Louis Janin, as counsel for the heirs of Thomas Powers, and received from said Louis Janin a memorandum, taken by him of said record, and has no doubt that it was mislaid in consequence of a demand for a copy of it by said Louis Janin, which caused it to be taken out of the box in which it was deposited, just before the records of the office of said notary, L. T. Caire, were removed from the office lately occupied by said notary to that now occupied by the same. Being unable to find said record, deponent cannot, from his own knowledge, testify to its contents. Deponent refers to the annexed affidavit of Louis Janin respecting said record No. 3011.

Answer to interrogatory 4th. Deponent says, that he considers the assumption of the quality of testamentary executor of F. Caminada by Prosper Prieur, in the act of which a copy is annexed, before one of the three notaries above alluded to, as equivalent to the assumption of such quality in a proceeding before our courts of probate. All judicial proceedings were carried on under the Spanish government before said three notaries, who acted as clerks of courts of country. Their offices were the regular places of deposit of judicial records. There is not, and there was not, before the cession of Louisiana, any other place in which the judicial proceedings under said government were deposited; that proceedings relative to successions were among these judicial records. These notaries were also the public conveyancers of the country; they drew up the deeds between contracting parties, and, after their signature by the parties, delivered copies of them, the originals remaining deposited in the notary's office.

To cross interrogatory 1st. Deponent says, that he is by profession a lawyer.

To interrogatory 2d. Deponent says, that he has no interest, direct or indirect, in the event of this suit.

Cross interrogatory 3d. Deponent says, that in his answers to 3d and 4th interrogatories in chief, deponent has stated, specifically, all he knows of the acts referred to by him, and has annexed a copy of the

act which he has seen. That the grounds of his opinion, as to the effect of such acts by the law of Louisiana, are not founded upon any provisions of the code or statutes of Louisiana, but upon the practice of the courts; that in the year 1785 acts were passed by F. Caminada himself, before Raphael Per Domo and F. Rodriquez, then incumbents of the offices now held, the former by Louis T. Caire; that after the year 1785 deponent found no act passed by said Caminada, but found in the office of said Caire the indications of proceedings in the name of his estate in 1785, and in the office of said D. E. Armas the act in which Prosper Prieur acts as his testamentary executor in 1799; a copy of which act is annexed to deponent's answer to 3d interrogatory in chief; that deponent infers from these facts that F. Caminada died in 1785, and that Prosper Prieur was his testamentary executor, and was so recognised, by the competent authorities of the country; and deponent thinks that such would be the inference of the courts of Louisiana under the circumstances. The courts of Louisiana follow the English law of evidence, although its adoption is not enacted by statute.

(Signed) S. L. JOHNSON.

En la ciudad de la Nueva Orleans, á diez y seis de Henera de mil setecientos noventa y nueve, ante mí, el escno. y testigas, pareció presente Dn. Prospero Prieur, vecino de esta ciudad, albaceo de Dn. Francisco Caminada, ya difunto y dijó que ha recibido de Don Estéban Robert de la Morandiere, theniente de exército y capitan de la campañía de milicios de Opelusas, la cantodad de seiscientos pesos plata fuerte, por cuenta de nuevecientos cincuenta y cinco pesas quatro reales, resultando en sa consecuencia restar á deber el dicho Morandiere á la succesion del indicado Caminada, tres cientos cincuenta y cinca pesos, quatro res. ptes.; como coxa, &a., de la obligacion hypotecaría que otorgó Da. María Ana Soileau, muger legítima de dho. Morandiere, á cinco de Henera de mil setecientos y noventa, ante Dn. Rafail Perdoma, escno. púco., de cuyla cardidad de seiscientas pesos pta. me doy por entrogado, renuncio la non numerata pecunia, prueva, leyes de la entrega, y otorgo formal recibo.

En cuia virtud, consiento que al márgan de dha. obligacion se anote la correspondiente se alce y levante la hipateca, que para la seguridad del pago del todo de la cantidad afecto en ella. En cuio testimonia, así lo otorgo y firmo, siendo testigas Dn. Luis Liotan, Dn. Andrés Fernandez y Dn. Jacinto de Ayala, presentes.

(Signed) PROSPERO PRIEUR.

Ante mí. CARLOS XIMENES.

I do hereby certify the foregoing to be a true and correct copy of its original, extant in the records of my office. New Orleans, [L. S.] this 6th day of May, 1848. "Cuya cantidad" overcharged and approved.

(Signed) OCTAVE DE ARMAS, *Not. Pub.*

POWER'S HEIRS
vs.
THE UNITED STATES.

Louis Janin, of the city of New Orleans, being duly sworn, deposes that he was employed by Michel Commagere and other parties, interested in the above suit, to prosecute their claims to Ship island and Deer island, and that the said Commagere then put into affiant's hand the original grant, another document now annexed to petition, and a certified copy of the sale from Prosper Prieur, the testamentary executor of Francisco Caminada, to Thomas Power; that the affiant having instituted said suit in the United States district court, at Jackson, Miss., thereafter requested Mr. John Henderson to assist him in said suit; that affiant, considering it necessary to prove that Prosper Prieur was in reality and had the right to act as the testamentary executor of Francisco Caminada, made diligent researches among the records still preserved in the city of New Orleans, of which place Francisco Caminada was a resident in his lifetime; that it is to affiant's knowledge, from long professional experience, that there were in New Orleans, before the cession of Louisiana to the United States, but three notarial offices, in which all the probate and other judicial business of this section of the colony was transacted, the notaries acting both as conveyancers and as clerks of the courts; that the records of said three notarial offices are now in the custody of Louis T. Caire, Octave de Armas, and William Christy, notaries public; that, in each of these offices, an index, supposed to be correct, of all the proceedings had and deeds executed under the Spanish government is preserved; that, having examined the index of each of said three offices, the affiant found no trace of any will of said Francisco Caminada, nor of any documents relating to his estate, except the record of a suit which was instituted on the 22d day of December, 1785, by Prosper Prieur, as testamentary executor of Francisco Caminada, against Pedro de Lagantrais and Dna. Carlota Bellant, his wife; that this suit was instituted on a due bill signed by Delagantrais, on May 19, 1783; that said record was found in the office now kept by L. T. Caire, notary public; that affiant examined said record carefully and took a memorandum of its purport and number; that it was numbered "3011," and is also mentioned under this number in the aforesaid index; that the said suit was commenced in the ordinary manner, that is, by a petition addressed to the governor, the highest judicial officer of the State; that said record bore, probably in several places, the signature of the governor; that the affiant is quite certain that this document was genuine; that he informed Michel Commagere of the contents of this record; that said Commagere, thereafter, also examined it; that said record was kept in a wooden box, together with the other judicial documents of the same year; that, at affiant's request, the said Louis T. Caire withdrew the said document from the said box, for the purpose of making a copy of it; that, since then, the said Caire has moved his office, and has also made a trip to Europe,

and that now the said document cannot be found, although the said Louis T. Caire and the said Michel Commagere have made a long and careful search for it.

(Signed) L. JANIN.

Sworn to and subscribed before me, at New Orleans, this 19th April, 1848.

(Signed) F. N. HARALSON, *Comm'r.*

I, Francis N. Haralson, commissioner aforesaid, acting under the authority of the consent and agreement hereinbefore stated in the caption, do hereby certify, that, on the day and year stated in said caption, I caused Leonard Wiltz, Zenon Trudeau, and Sidney L. Johnson, witnesses for complainants in the cause styled in the caption, all persons of sound mind and lawful age, to come before me, who, being by me severally and respectively cautioned, sworn, and examined on the annexed interrogatories and cross interrogatories, reduced their answers to writing in their presence, and, after having carefully read the same to said witnesses respectively, each subscribed his own answers as his deposition in the cause styled in the caption, and I hereby certify that the interrogatories propounded to said witnesses were the annexed and the foregoing, and that the answers thereto constitute the foregoing deposition. And I further hereby certify, that said depositions, as taken, have been altered or changed in nothing since the same have been subscribed by the witnesses, nor have said depositions left my possession up to the time of sealing and delivering the same. And I further hereby certify, that the documents annexed to the foregoing depositions, referred to by the witnesses and by me filed, were furnished me by said witnesses as part of their several depositions. And I further hereby certify, that I have no interest whatever in the result of the controversy in which the foregoing depositions are to be used.

All which I hereby certify, under my hand and seal, at New Orleans, on the day and year first above written.

(Signed) F. N. HARALSON, *Commissioner.*

Afterwards, to wit, at a district court of the United States, for the district aforesaid, held at Jackson, on the 11th day of May, A. D. 1848, this cause came on to be heard, and is argued by counsel on both sides, and is submitted to the court.

Afterwards, to wit, at a district court of the United States, for the district aforesaid, held at Jackson, on the 15th day of May, 1848, the court not being fully satisfied, it is ordered that "this cause be continued for reargument until the next session of this court."

Afterwards, to wit, at a district court of the United States, for the district aforesaid, begun and held at the city of Jackson, for the adjustment of foreign land claims, on the second Monday of November, A. D. 1848, until which time this cause was regularly continued, the following decree was signed by his honor the district judge, and ordered to be enrolled, to wit:

HEIRS OF POWER
vs.
THE UNITED STATES.

District court of the United States, for the southern district of Mississippi, November term, A. D. 1843.

And now, at this term, being a term assigned to the district court of the United States for the southern district of the State of Mississippi, for the trial of land cases, pursuant to the act of Congress of date 17th June, 1844, reviving the act of Congress of date of , A. D. 1824, came on to be heard the petition of Felicite Blanche Power, now widow Vidal, a daughter and heir at law of Thomas Power, deceased, and J. Emile Commagere, J. Alcide Commagere, Antonia Athenais Commagere, and Cecilia Blanche Commagere, being children of Michel Commagere by his late wife, Josephine Power, a daughter and heir at law of the said Thomas Power, deceased, said children representing their deceased mother, the said Josephine Commagere, and whom, together with the said widow Vidal, represent the inheritance from Thomas Power, deceased; and the said heirs of Josephine Commagere, being infants, appear by their father as guardian and next friend. The said complainants, by their petition, claim, as assignees, and by derivative title from Francis Caminada, two certain islands; the one called and known by name of "Deer island;" the other by name of "Ship island," both situate upon the seacoast of the State of Mississippi, in the Gulf of Mexico adjacent to the shore of Harrison county, and within the boundary of the State of Mississippi; and which islands were granted to the said Francis Caminada by the former Spanish governor of Louisiana, Don Bernarde de Galvez, by full and complete grant or patent of date 1st August, 1781, and the original of which is exhibited in this cause; and the said suit being at final hearing, and counsel having been heard on both sides, as well for the United States as for the petitioners, and the said court, the honorable Samuel J. Gholson presiding, and sitting as chancellor, being now sufficiently advised in the premises, doth order, adjudge, and decree, that the claim and title of the petitioners to the two islands or parcels of land as before described be, and the same are hereby, confirmed to them in full property, the said original grant or title, in the opinion of said court, being good and valid, in virtue of the patent therefor, and in virtue of the treaty of St. Ildefonso, between Spain and France, of date October, 1800, and of the treaty of Paris of 1803, for the cession of Louisiana to the United States, and by the laws of nations, and by the acts of Congress hereinbefore referred to, under which this court has cognizance of said case.

And it is further adjudged and decreed, that the two several islands aforesaid, having each its natural boundary, a survey thereof is therefore dispensed with, and that the petitioners' title be confirmed to them in the whole extent of the natural boundaries of said islands respectively; and if, on investigation, it shall appear that the United States has

heretofore made sale of all or any part of said islands, then, as to such sales, the title hereby confirmed shall stand qualified and inoperative as to the specific land so sold, and, in place and stead of the land so sold, the petitioners shall be permitted to enter a like quantity of land within the same land district, which may be subject to sale at private entry.

(Signed) S. J. GHOLSON.

November 17th, 1848.

And hereupon the United States of America, by their counsel, pray an appeal to the Supreme Court of the United States, which is accordingly granted.

UNITED STATES OF AMERICA,
Southern district of Mississippi.

I, William Burns, clerk of the district court of the United States for the southern district of Mississippi, do hereby certify, that the foregoing forty-five pages, with the above, contain as full, true, and correct a transcript of the proceedings in the suit therein named, between the heirs of Thomas Power and the United States of America, as the same now remain of record in my office.

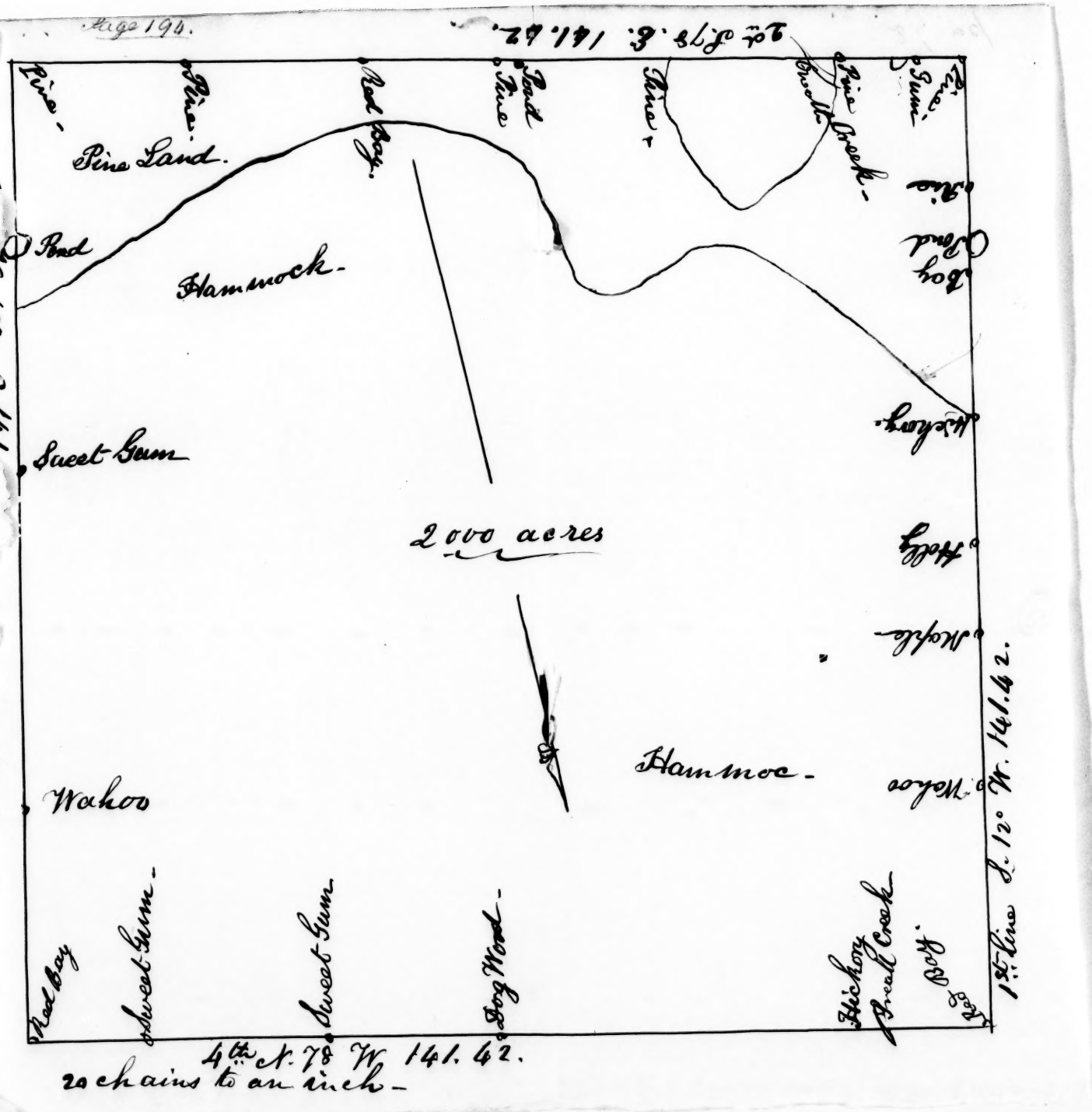
In testimony whereof I have hereunto set my hand and the seal of said court, at the city of Jackson, on this twentieth day of December, A. D. one thousand eight hundred and forty-eight, and in the 73d year of the independence of the United States of America.

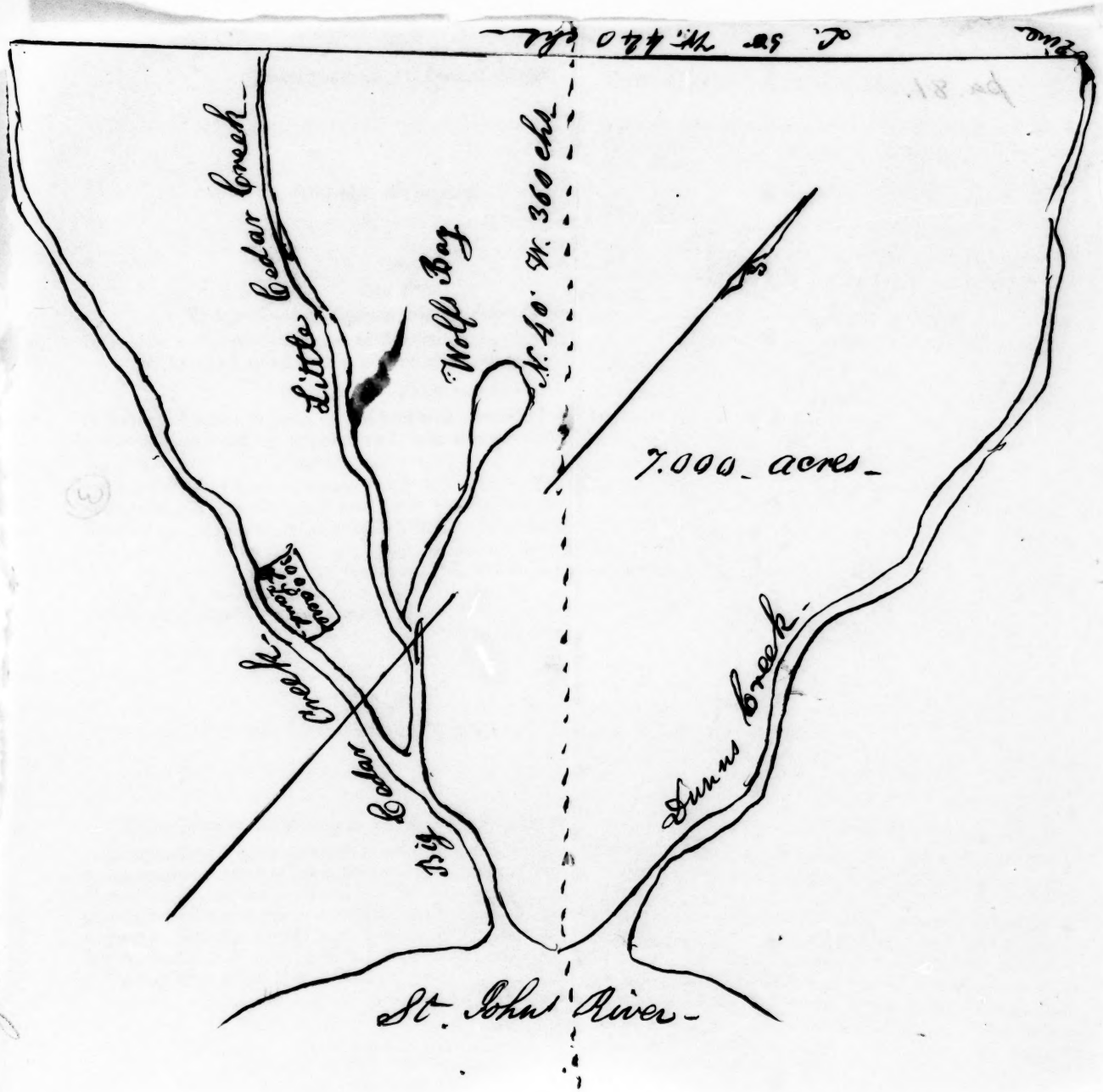
[SEAL.]

WM. BURNS,
Cl'k So. Dist. of Miss.

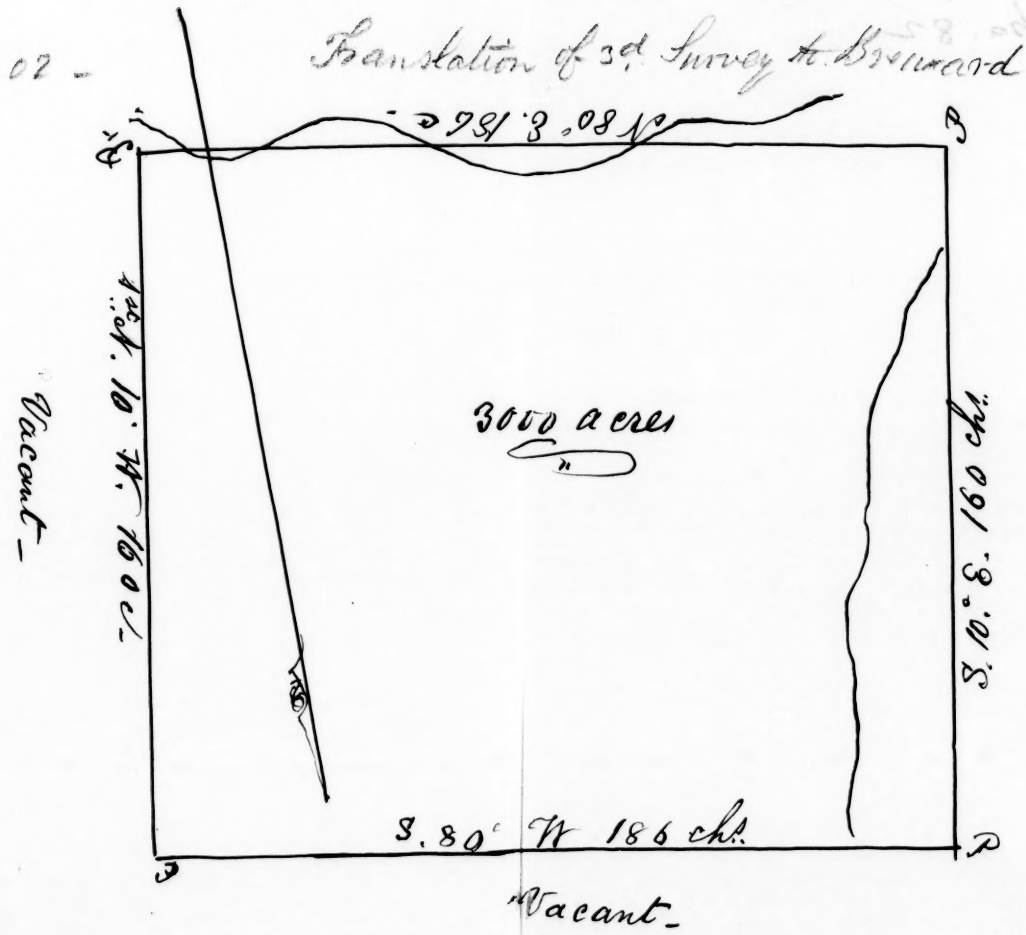
Filed Jan. 5, 1849.

Poplar
1st Line North 23° East 54 chs
Pine
Little Dunns Creek
Big Dunns Creek
Marsh
125 acres
1st Line S. 67° E. 26 chs
Pine
3d Line S 29° W 119 chains
45 W. 13 chs
Estate of Jas Francis Richard

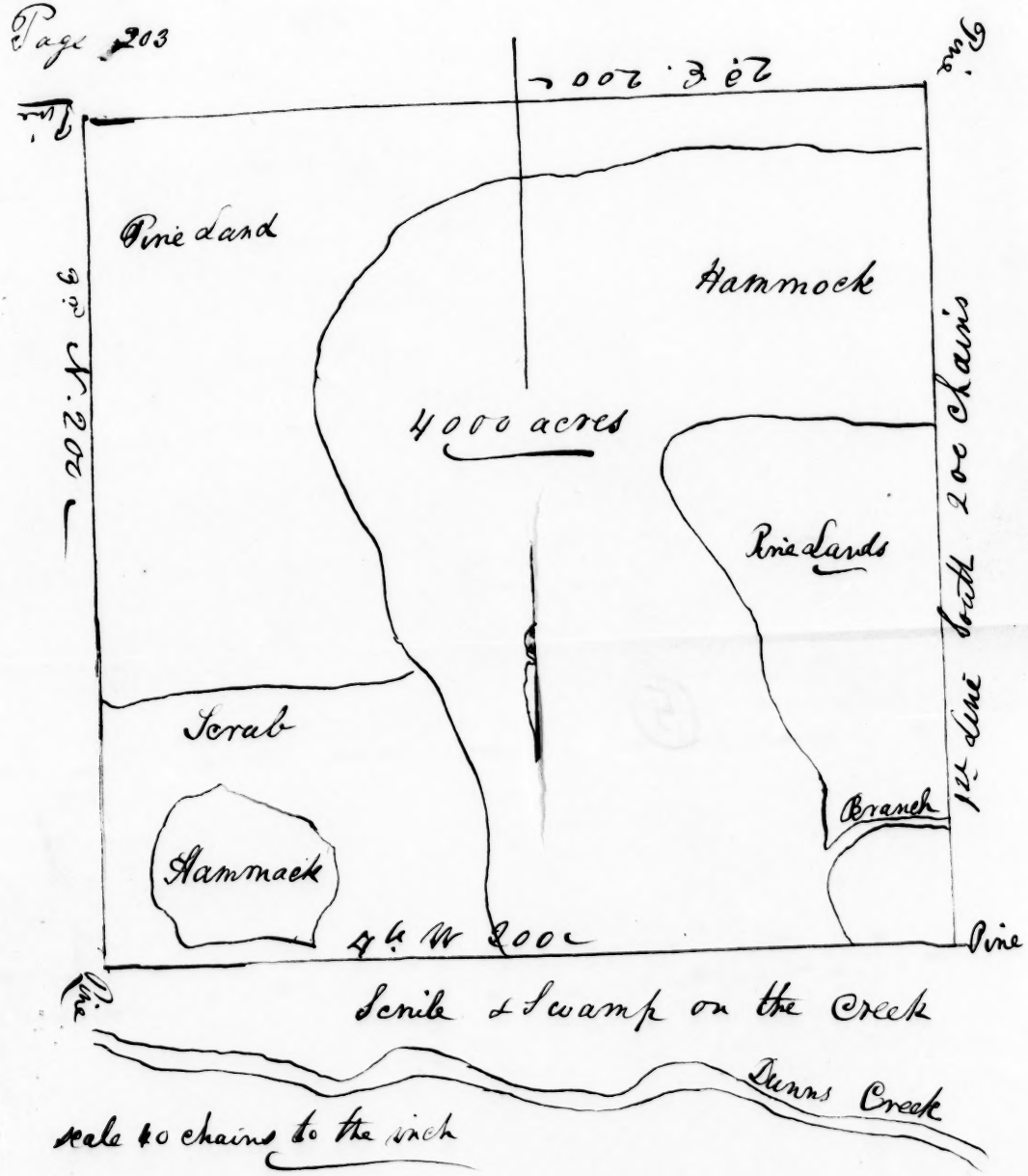

Pine.
Pine.
Red Bay.
Pine
Pine
Pine Creek
Pine
Pine Land.
Pond
Hammock.
Sweet Gum
2000 acres
Hammock.
Wahoo
Red Bay
Sweet Gum
Sweet Gum
Bog Wood
Hickory
Wahoo
4th Pt. 78 W. 141.42.
20 chains to an inch.
1st Line S. 12° W. 141.42.

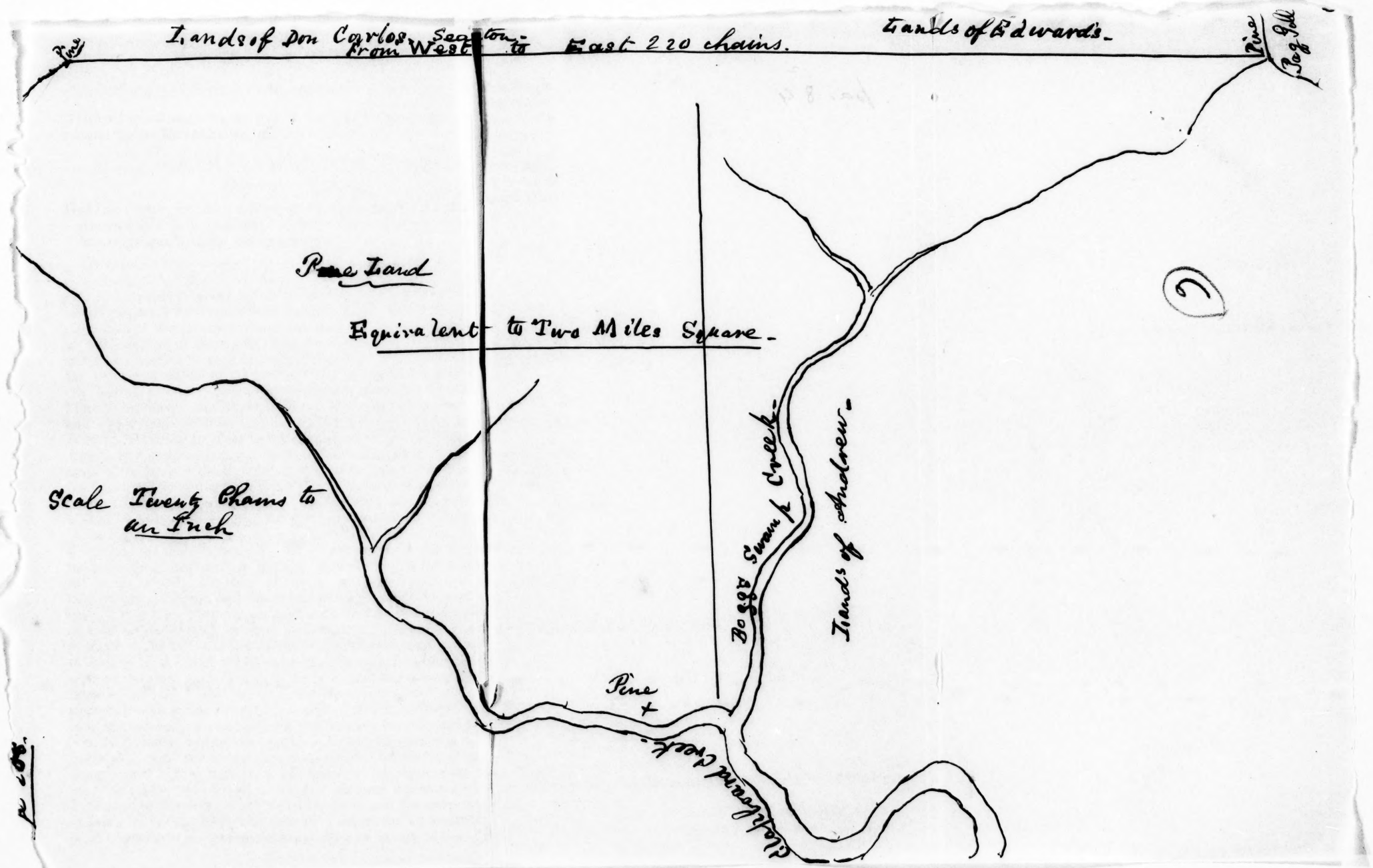

Little Cedar Creek
Wolfs Bay
N. 40° W. 300 chs.
7.000 acres
Big Cedar Creek
Dunns Creek
St. Johns River

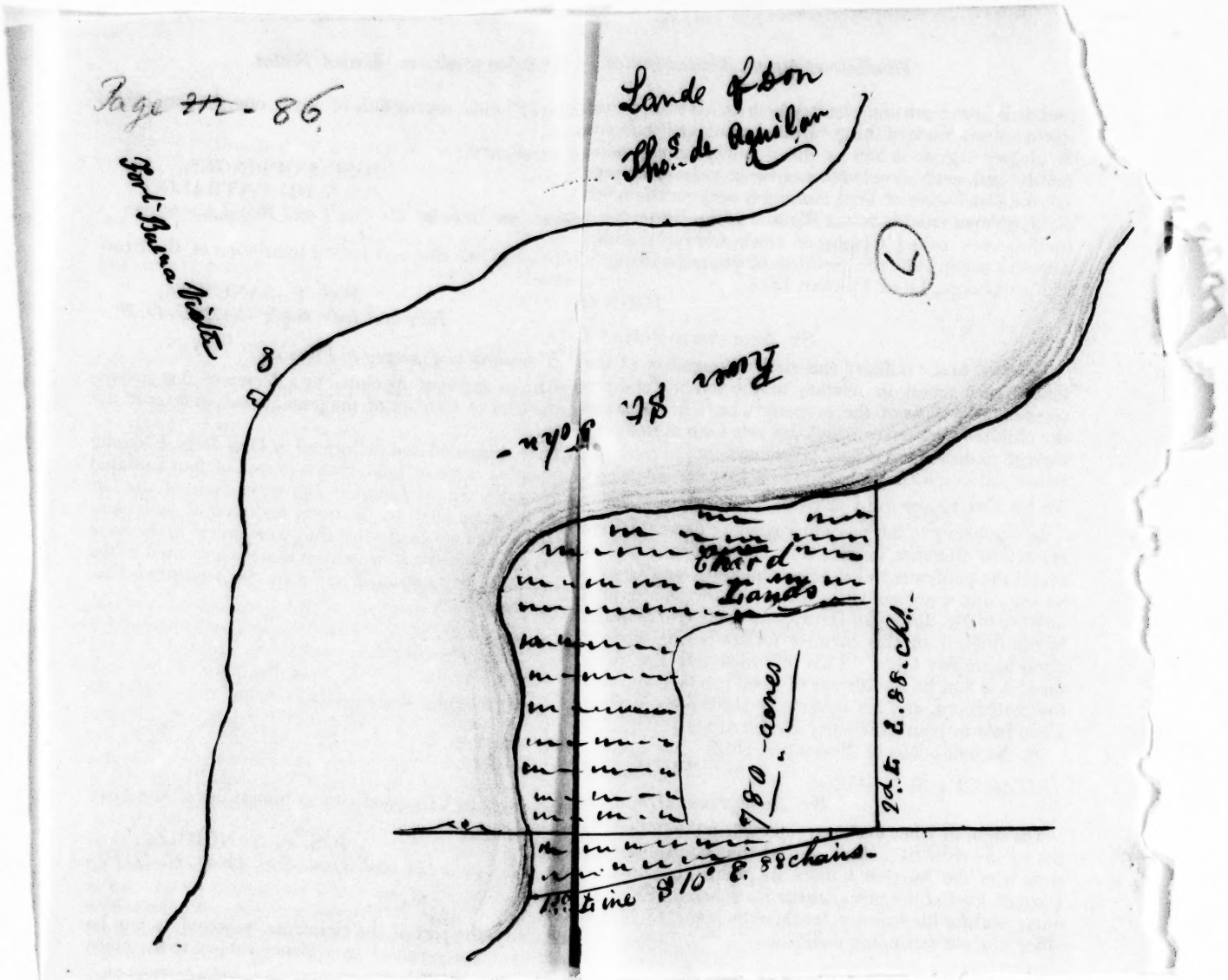
Translation of 3d. Survey to Brainard -

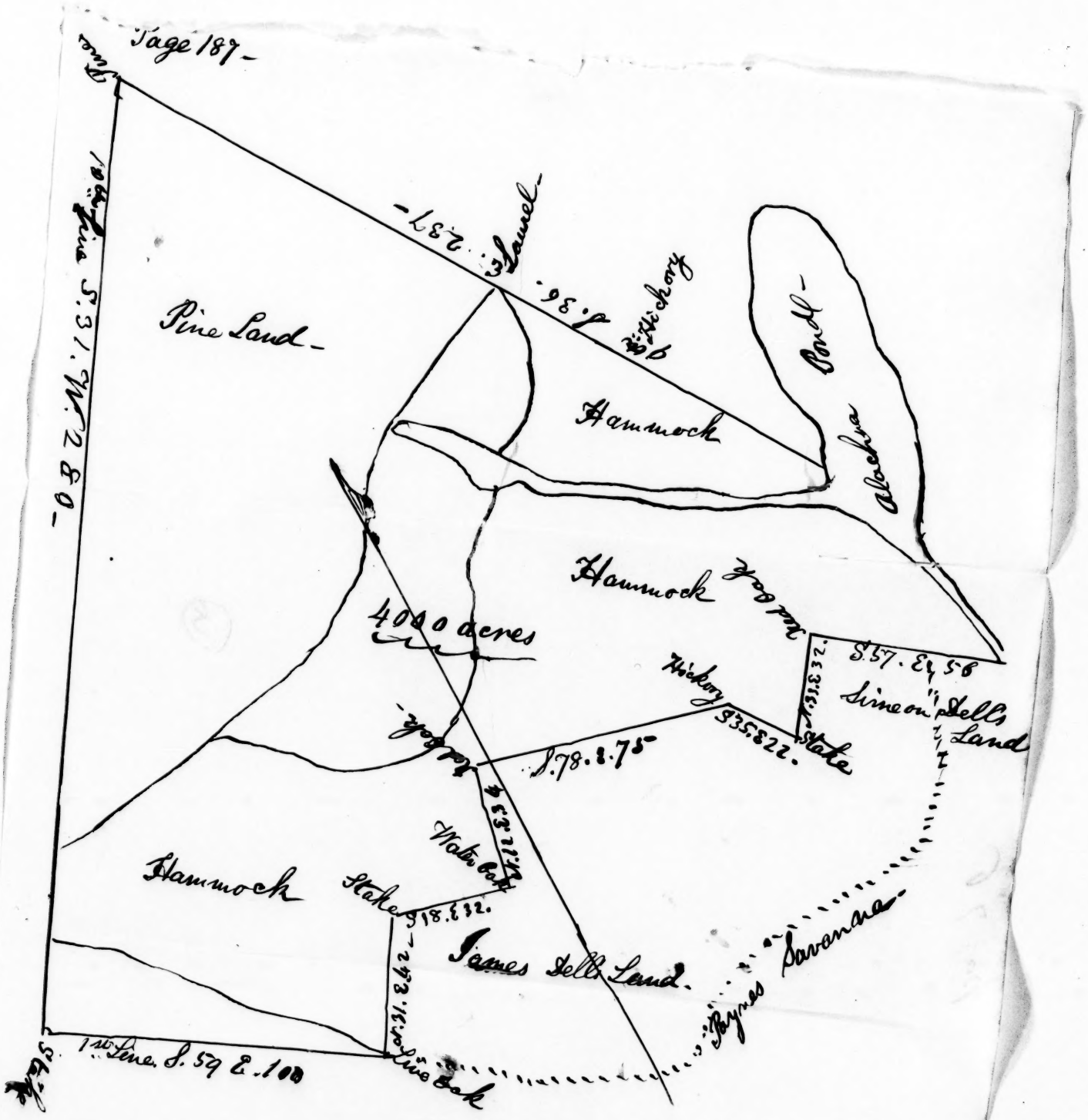


Page 203

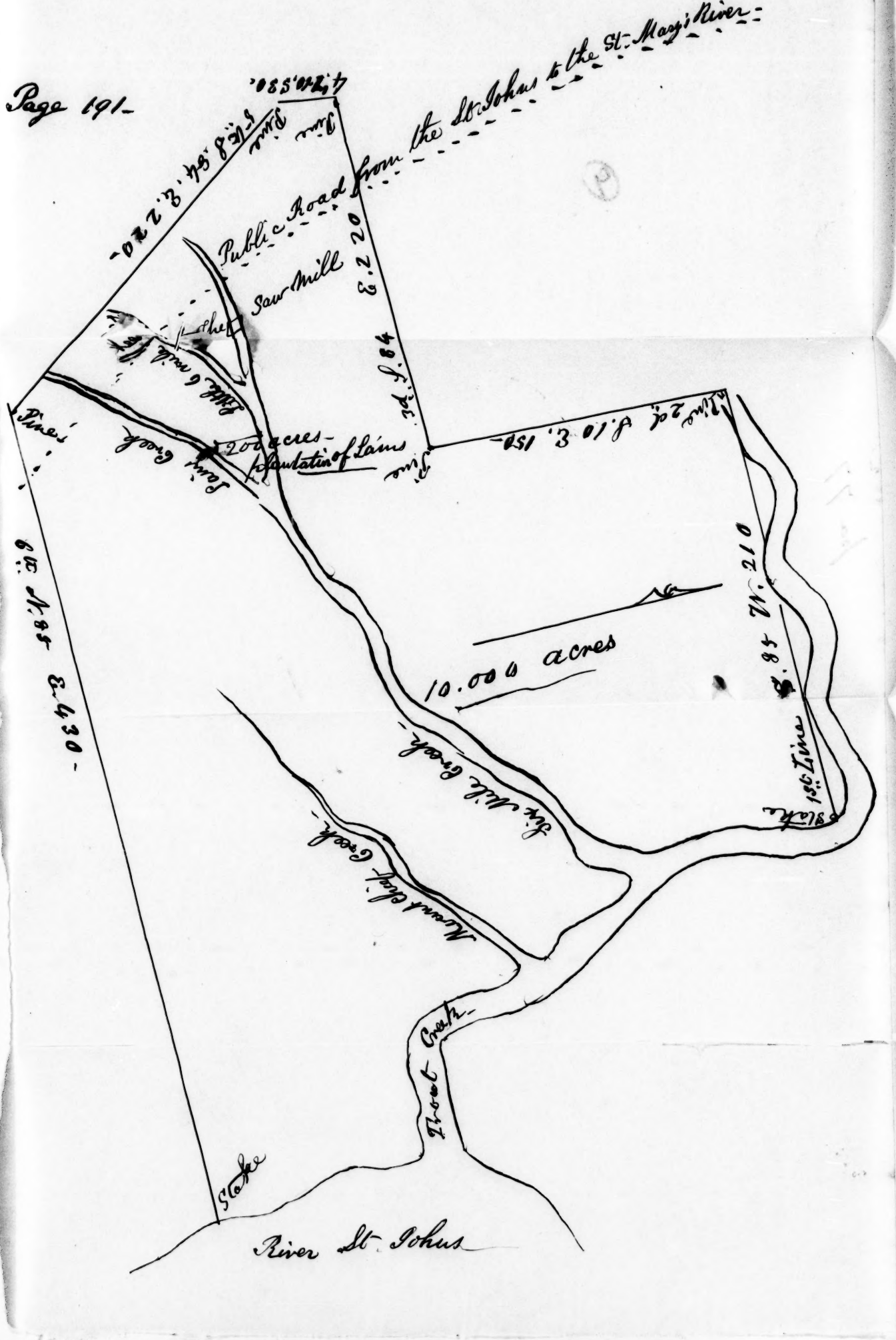

Pine land
Hammock
4000 acres
Pine Lands
Scrub
Hammock
Branch
Pine
Pine
Scrub & Swamp on the Creek
Dunns Creek
scale 40 chains to the inch

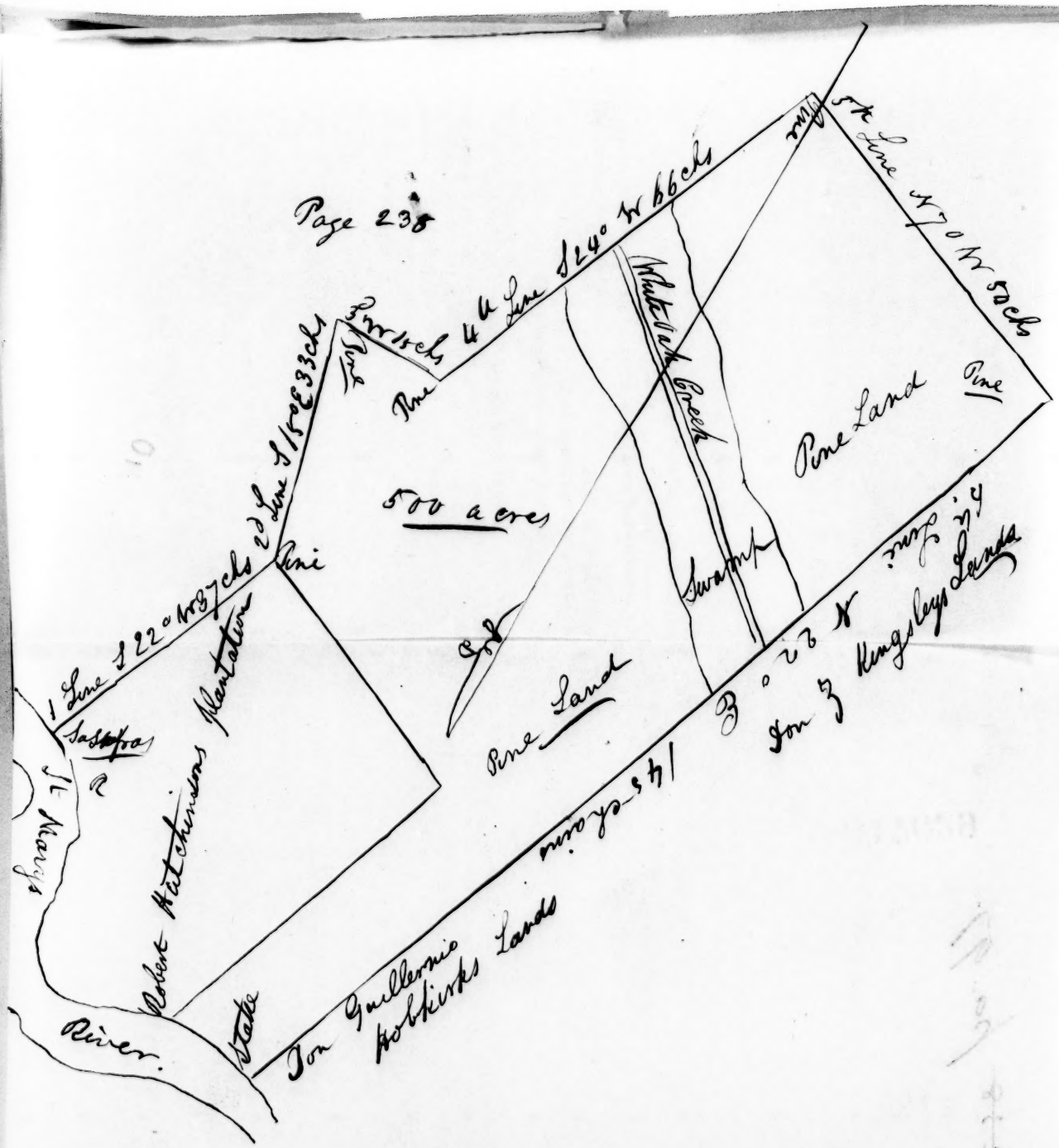

Lands of Don Carlos Section from West to East 220 chains.
Lands of Edwards
Pine
Pine
Pine Land
Equivalent to Two Miles Square
Scale Twenty Chains to an Inch
Bogg Swamp Creek
Lands of Anderson
Pine
Allegheny Creek
C


Page 77 - 86
Lands of Hon
Thos. de Aquilar
Port-Royal Middle
River St. John
Land
780 - acres
2d L. 88. Ch.
Line S 10° E. 58 chains


Page 187
Pine Land
Hammock
Bordd
Alachua
Hammock
400 acres
Hammock
Hammock
Stake
Water Oak
Stake
Pine
Pine
Pine

Page 191


Public Road from the St. Johns to the St. Mary's River
Saw Mill
200 acres
Plantation of Lains
Pine Creek
Pines
10.000 acres
Slue Mill Creek
Mount Olive Creek
Trout Creek
River St. Johns
Block
Shore

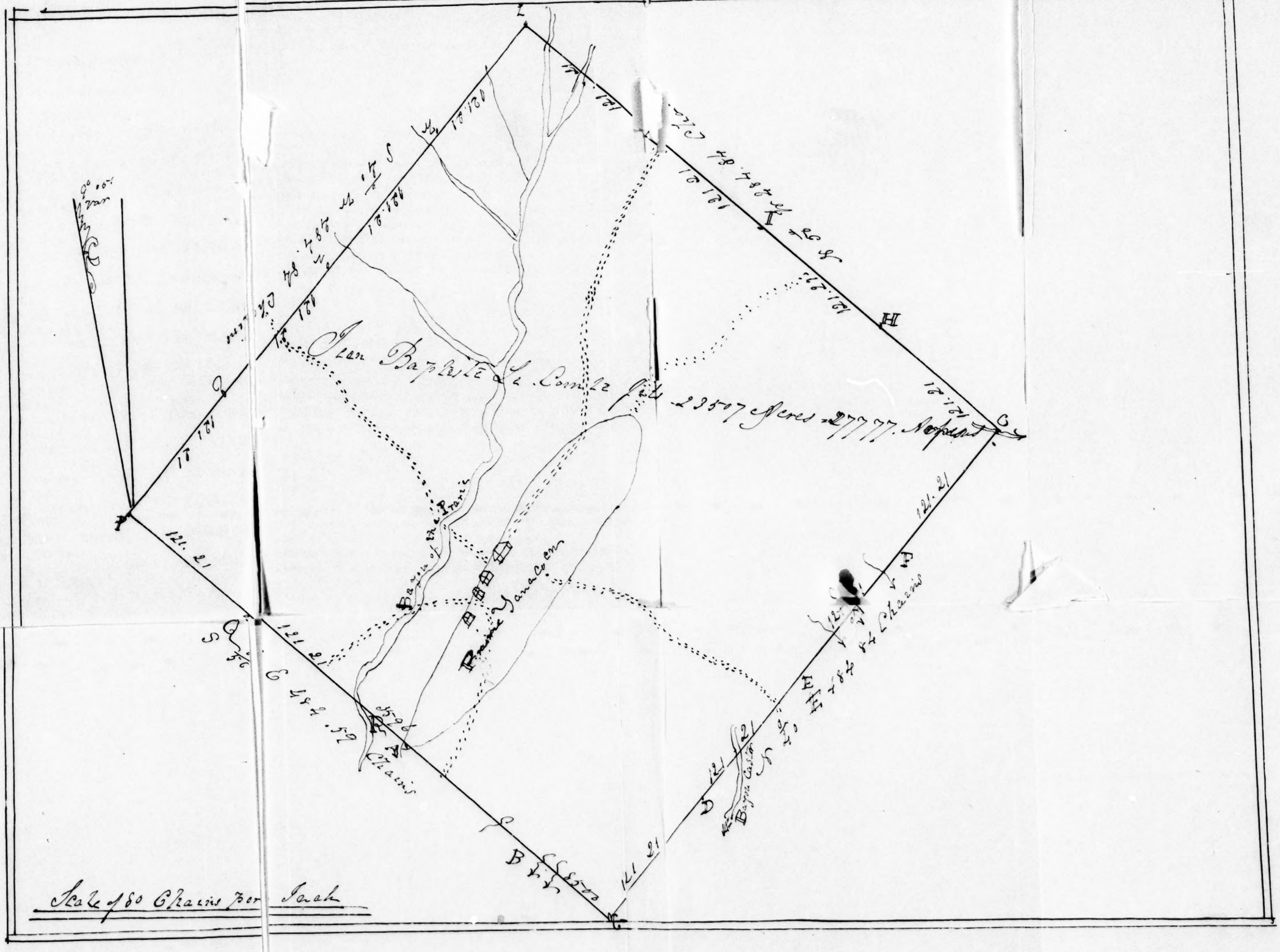

Pine
5th Line N 70° W 50 chs
Pine
Pine Land
Pine
Hutchinson Creek
Swamp
500 acres
Pine Land
Pine
Pine Land
Pine
Pine
Pine

1st Line N 33° East 142 chains
2d Line South 57° E 142 chains
3d Line South 33 West 142 chains
Pine Land
2000 acres
Hammock
Swamp
Dunns Lake
Tierras de Fernando Arradondo

Doc marked 10

Western District of Orleans Territory

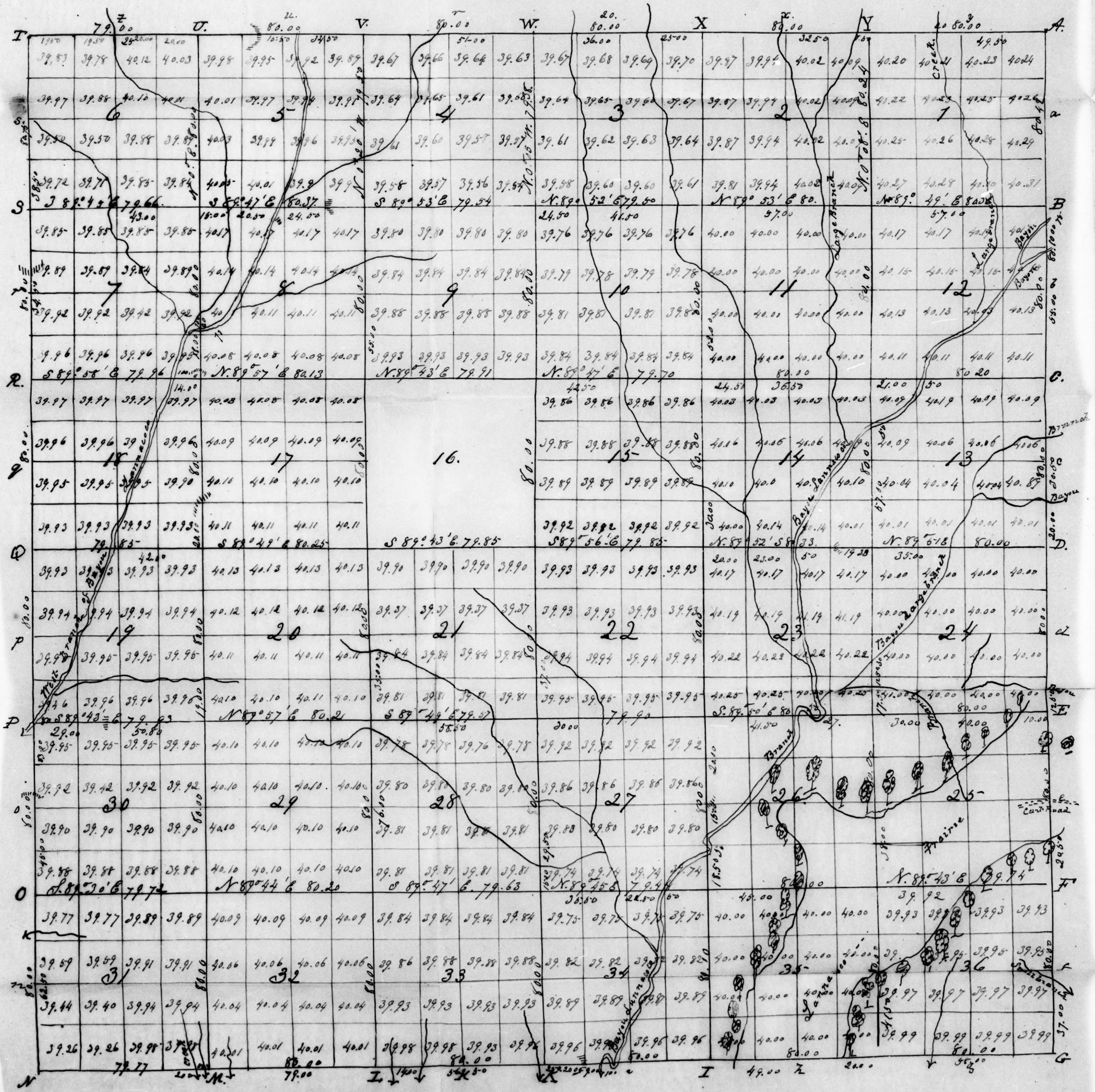
59



Doc: B.-11.

Township No. 3 North. Range 9 West.

South Western District Louisiana



N.° 177. A. L. ms. Boisdorés Heirs
por 17-

17

print 12-

Antonio Caine, 500 arpanes

Tierras Reutengas

Pino · Carrasco · Carrasco · Pino · Fresno · Pino · Pino · Pino · Encina · Pino · Felipe Saucier

Orte. del Cazadero, Sur 81° 15- Oeste de la Pruneda -

Bahia de St. Luis

D. Simon Favre 1200. acres Yng Zeses
iguales á 1416 arpanes de nuestra medida -

Los Herederos del difunto D.r Luis Boisdoré -

a Concesion del 26 de Avril de 1788 y Ratificada & confirmada el 7. de Avril de 1808. —

D.a D. Juan Bau.ta Rousseve 1600. arpanes

D.a Margarita Viuda-Meminger 1600 arpanes

Arroyo de la Mesa de Maguire

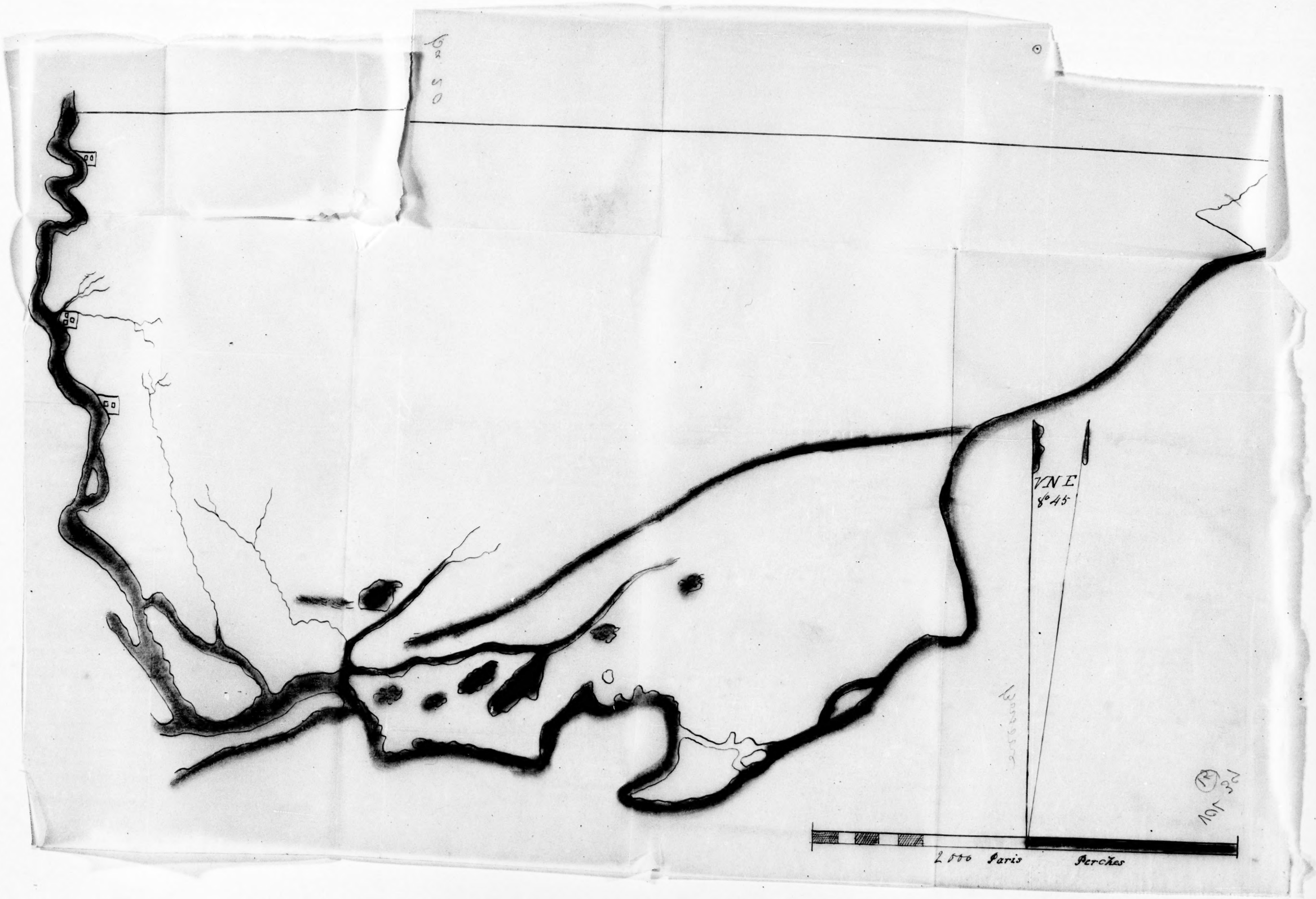
Punta Clara

N.E
Vr. N. E
8.° 45'

Panzacola 30. de Mayo de 1810. —

(Signed) Vicente Sebas.te Pintado

2000 Pesadas de Paris -


VNE
8° 45'
2 000 Paris Perches

Pa: 42.

Pine | True Oak | True Oak | Pine | Ash tree | Pine | Pine | Pine | Gum Oak | Pine | Pine | Ash Tree | Pine | Pine | Pine | Gum Oak | Pine

Dr Simon Favre 1200 English Acres
equal to 1418 Arpents of Spanish measure

The Heirs to the deceased Dr Louis Boisdoré
Concession of the 16th April 1783 Ratified on the 7th April 1808

Dr Juan Bapte Roussive 1600 Arpents

Dr Margarita the widow of Meninger 160 Arpents

Filipe Saucier

Bay of St. Louis

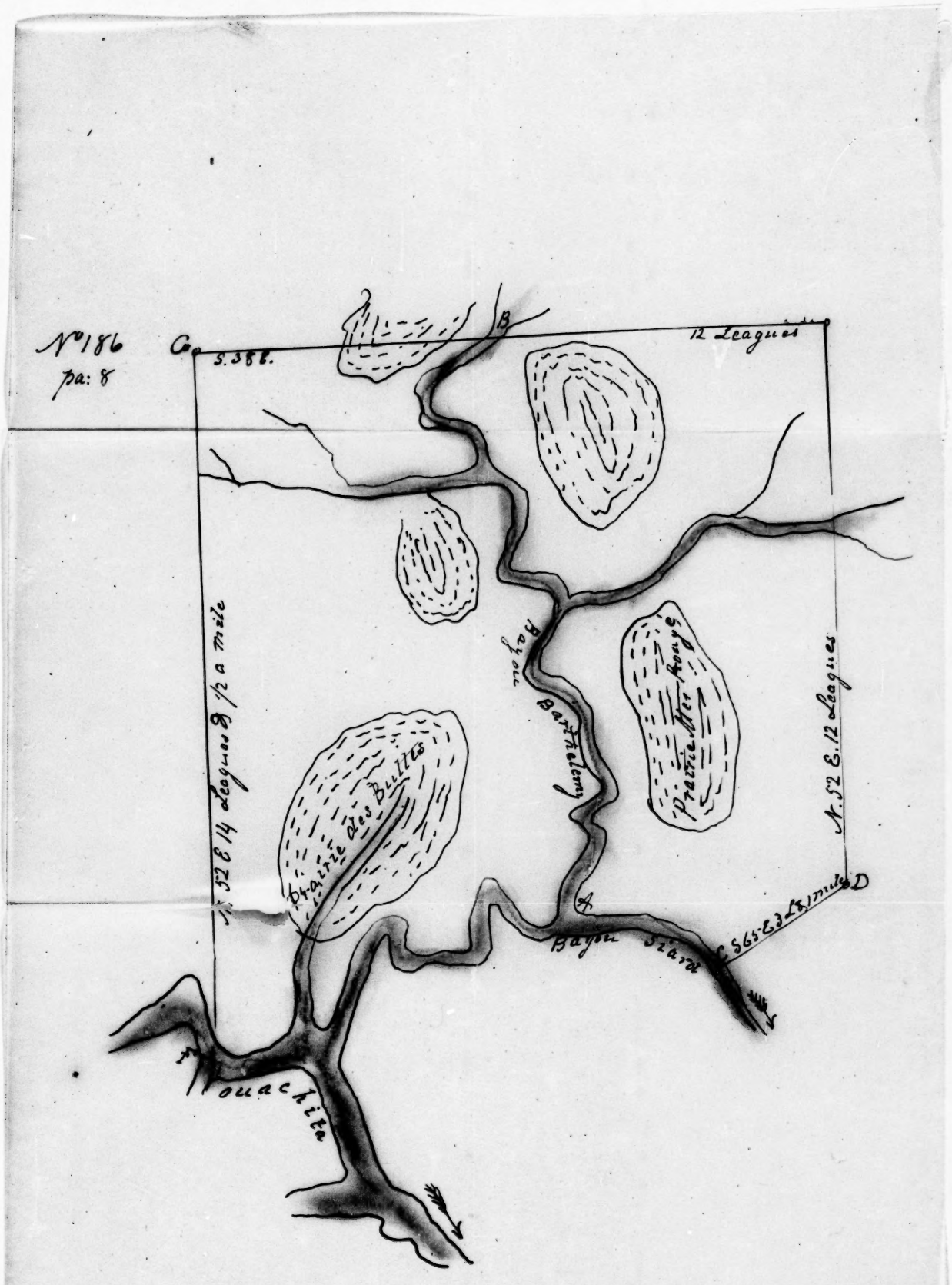
S. 45° W. E.
8° 45'

Point Clear

500 1000

2000 Perches of Paris

Pensacola 30th May 1810 (Signed) Vicente Sebastn Pintado


N°186
pa: 8
C
S. 38E.
B
12 Leagues
N. 52 E 14 Leagues & 1/2 a mile
Bayou Barthelemy
Prairie des Roys
N. 52 E. 12 Leagues
Prairie des Bulles
A
Bayou Sara
S. 36½ E. 3 Leagues
D
Ouachita

Rec 1866 - U. States vs Heirs of Shieldsboro. Orleans
Returned from 13 to 14

Bayou Bon Idea

Little Bon Idea

Bayou Bœuf

Bayou Boeuf

Bayou Barbary

Bayou Bierre

River Ouachita

Virgil Township.
27.080 acres

Hopkins Township
27.080 acres

Jefferson Township
27.080.

Ransdale Township
30.467

Madison Township
31.968

Montgomery Township
36.928.

Horace Township
36.672 acres

Claiborne Township
36.672 sq. acres

Franklin Township
36. 5/74.

Washington Township
34. 41/96

Clinton Township
Rapides Parish
27.080

27.080.

Sec 88 Twp 2 North Range 10 West

Sec 90

Sec 91

Sec 49

Sec 48

Sec 47

Sec 46

Sec 45

Sec 44

Sec 43

Sec 42

Sec 41

Sec 40

Sec 39

Sec 38

Sec 37

Sec 36

Sec 35

Sec 34

Sec 33

Sec 32

Sec 31

Sec 30

Sec 29

Sec 28

Sec 27

Sec 26

Sec 25

Sec 24

Sec 23

Sec 22

Sec 21

Sec 20

Sec 19

Sec 18

Sec 17

Sec 16

Sec 15

Sec 14

Sec 13

Sec 12

Sec 11

Sec 10

Sec 9

Sec 8

Sec 7

Sec 6

Sec 5

Sec 4

Sec 3

Sec 2

Sec 1

A

B

C

D

E

F

G

H

I

K

L

M

N

O

P

Q

R

S

T

U

V

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X

Y

Z

AA

BB

CC

DD

EE

FF

GG

HH

II

JJ

KK

LL

MM

NN

OO

PP

QQ

RR

SS

TT

UU

VV

WW

XX

YY

ZZ

AAA

BBB

CCC

DDD

EEE

FFF

GGG

HHH

III

JJJ

KKK

LLL

MMM

NNN

OOO

PPP

QQQ

RRR

SSS

TTT

UUU

VVV

WWW

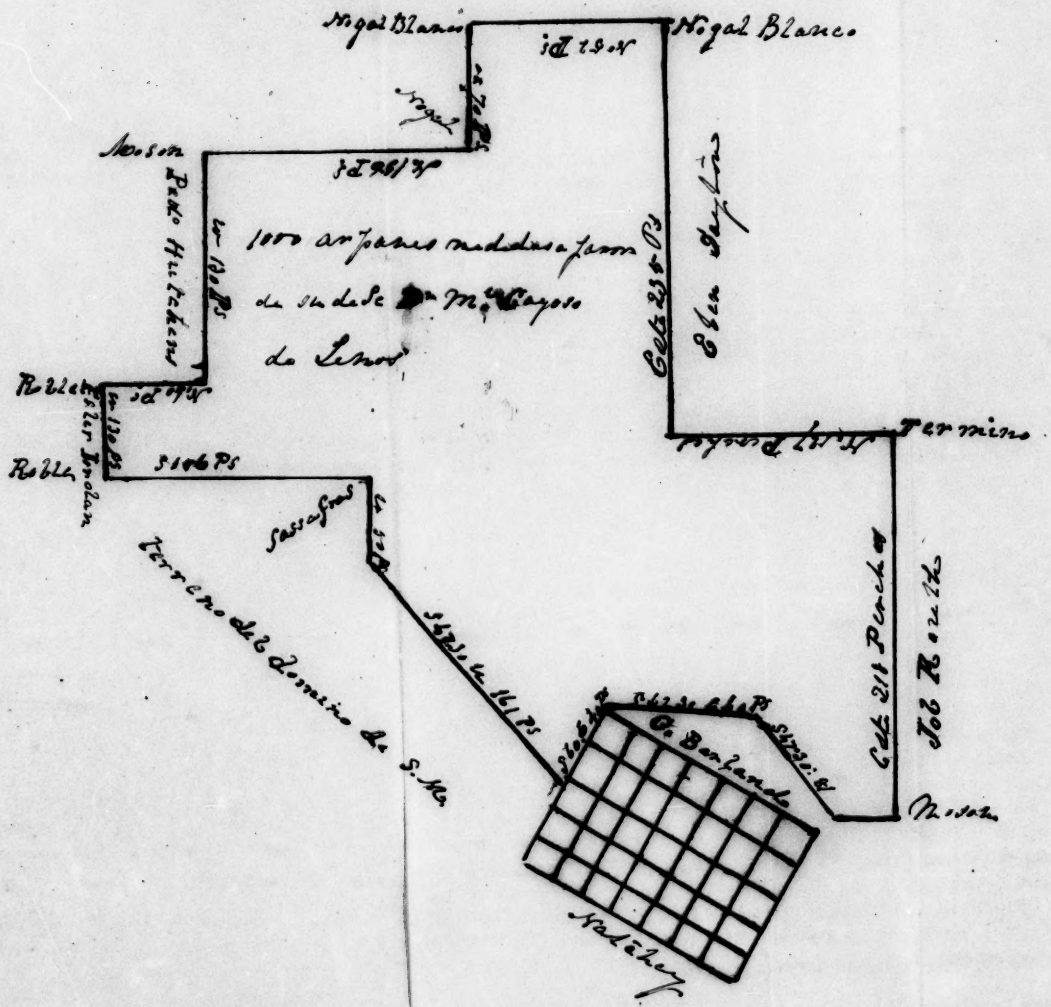
XXX

YYY

ZZZ

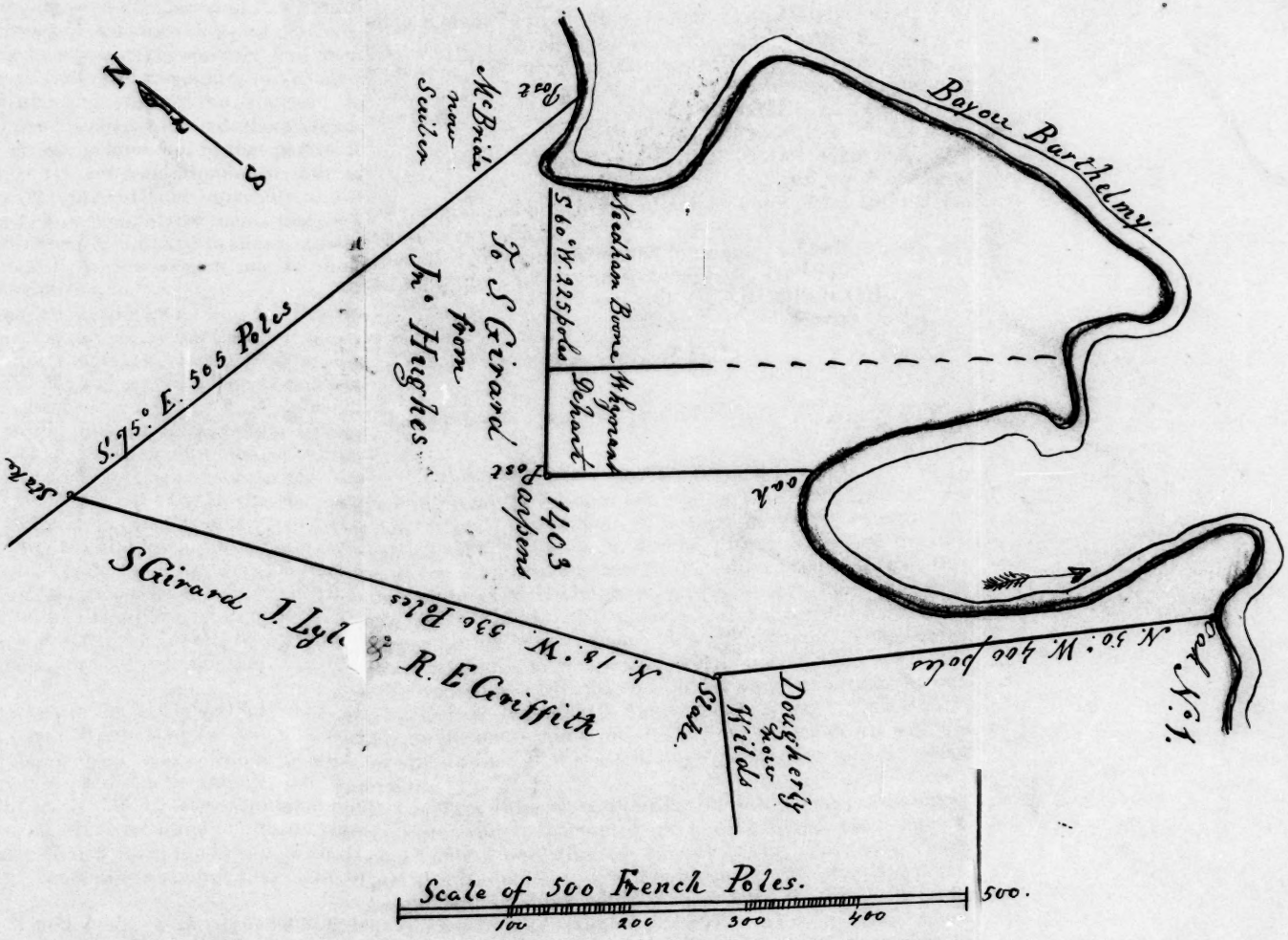
No. 199. Fo. 28

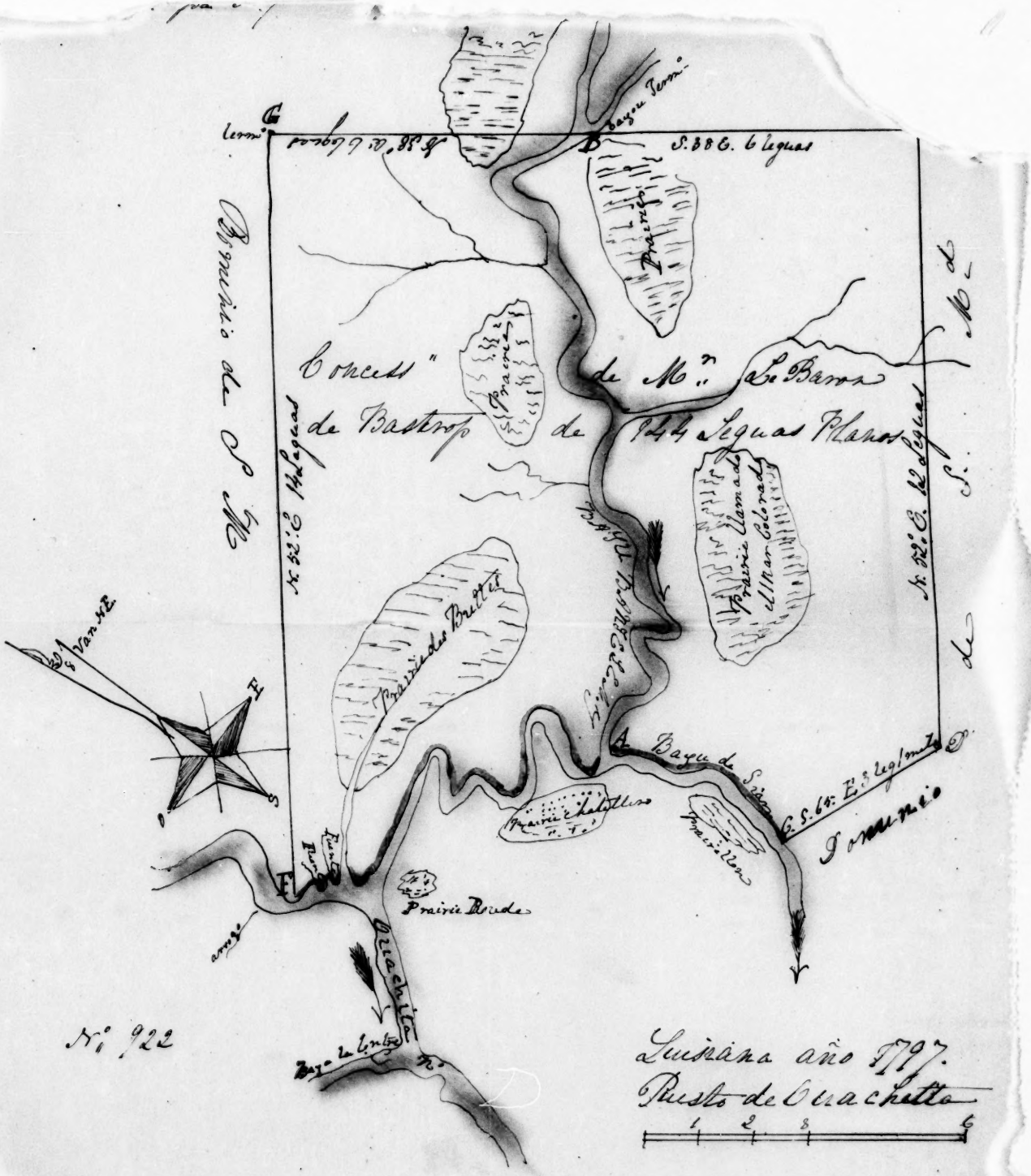
(Exhibit No: 2)



No 186-
pa. 120.

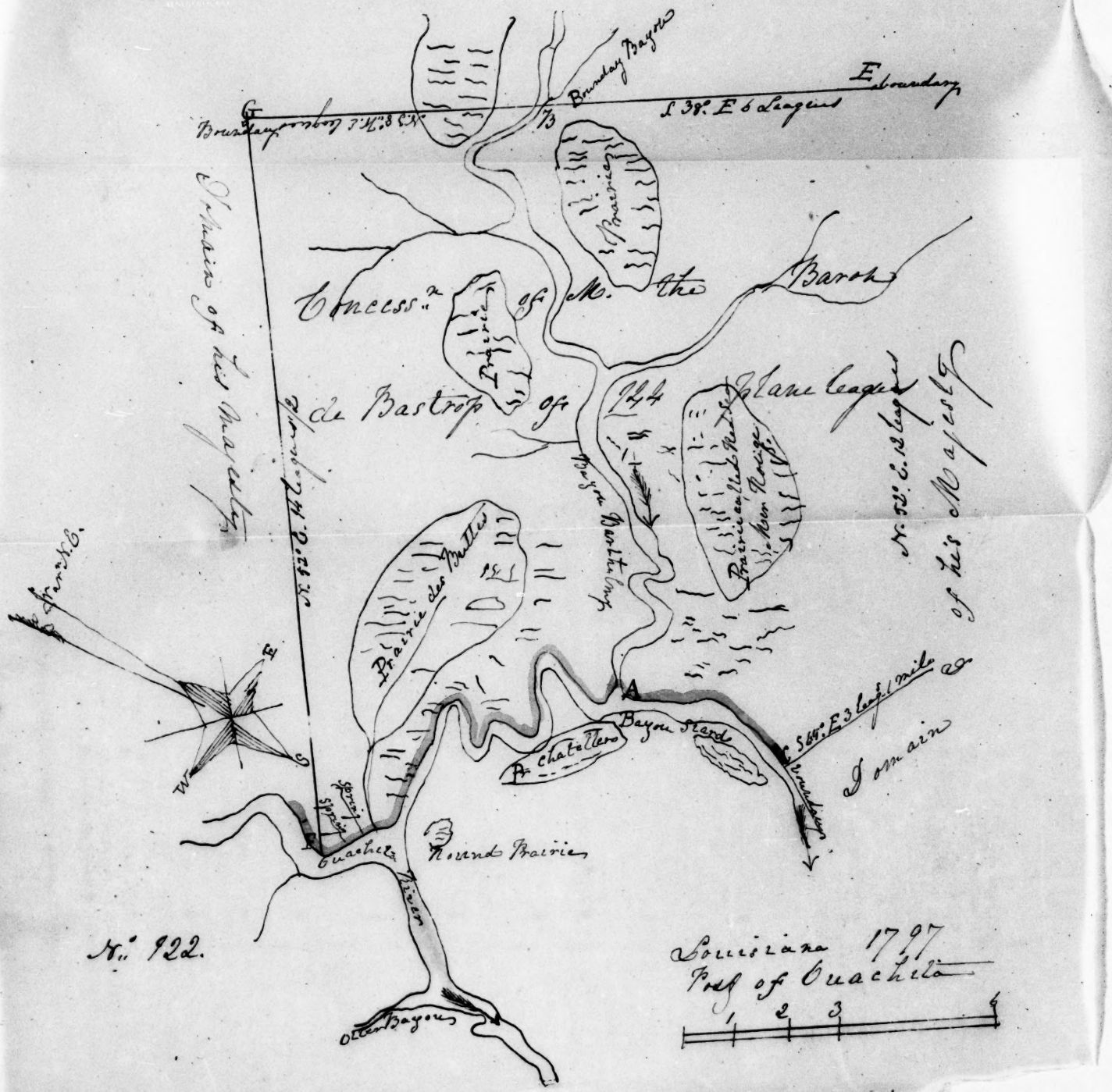
Document Marked D.D




Bayou Terre
S. 88° O. 6 Lgues
Prairie
Concess" de Mr. Le Baron de Bastrop de 944 Lgues Plans
N. 22° O. 12 Lgues
Prairie Clamard ou Mar Colorado
Prairie des Bruleés
Bayou de S. Jean
Prairie Chevreuil
Prairie Verte
Prairie Ronde
Ouachitta
Bayou la Louche
Nº 922
Louisiana año 1797.
Puesto de Ouachitta
1 2 3 6

N° 186 Ja: 359-

1/3



N. 52° E 14 leagues & ½ a mile
Prairie des Thuyes
Prairie Mer Rouge
Bayou Pierre
Bayou Barbe Louis
N. 52° E 12 leagues
12 leagues

23

Division Line between A. Morehouse, Ed. Livingston and others

Grant 48.943

Grantee's Heirs

Brought of Paul.

Robert E. Griffith
2278 acres.

S. Grant 2957
The division of this tract was mutual when the whole purchase of S. Grant, J. Lyle & Robt. E. Griffith took place see subsequent J. Lyle 4866.

Robt. E. Griffith 1579

James Lyle 29.375.

Part of the location of 4500 acres for Lattimore

Stephen Leonard 1936

Lands of Leonard.

Lands belonging to the Estate of Edmond Levinson

S. 57° W. 18 Miles to the Ohio River

B. Bankhead

Hunter

B. Bankhead

B. Bankhead

B. Bankhead

23

Stephen Lenard
1934

James Lyle 29575

Part of the location of 4300 arpens of Latting No 2.

This left out to meet Bonaventure's claim if it should succeed

B. Barthelemy

Part of Location of 4300 of Latting No 1

James Lyle
13972

B BARTHELEMY

OUACHITA RIVER

Pellier Lands

The tract colored yellow claimed & purchased by J Gerard and belong now to the two cities of New Orleans and Lafayette

This Map is on a Scale of one inch to a mile

Wm Bry

23

Location of 80 to arpens for Nicht Pope assigned subsequently to Gerard. J. Lyle

J. Gerard 4630

Bought at Sheriff's sale from Hamilton

Bought at Sheriff's sale from Hamilton from Miller

Lands bought from Lovell.

Bayou Beef

Stephen 8648

R. B. Keene

Wycoff & Harrison

James Lyle 1893 Carpts

Part of Marion Rouge's Grant

B Stand

This left out to meet interference with lands below

C

S 65° E 800 Chains

Pellier Lands

The tract colored green belongs to the Rep. of Robt. E Griffith

James Lyle 29875.

This lot not to exceed Bonaventure's claim if it should succeed.

Bartholemy

Part of location 4630 of Latting No 1

Location of 20.0 to appear on Mr Griffith's Rich'd Cope & subsequently purchased Gen'l Lyle

Rob't E Griffith

2250.

3114

Bayou Boeuf

Stephen Allen 8648

B BARTHELEMY

RIVER

Part of Maison Rouge's Grant.

James Lyle 1893 Carpts

B Seard

This lot not to meet interference with Lands below

C

Lands bought from Morehouse's Heirs 40.000

from Lovell. 2.100

Bought at Sheriff's Sale from Hamilton 20.014

from Mr Laurens

from Miller

Bayou La Fourche

R. R.

Keene

Whycoff & Harrison

N

E

W

S

D

S 65° E 800 Chains

Public Lands

The area of the tract herein delineated is found by calculation as per last Survey of the whole map of Lots a difference.

The tract left blank belongs to other individuals - the Location is correct, being taken from the Records of Deeds and Surveys.

The Red colored Gale ochre belongs to the two cities and are of Mayor's share of the purchase made in Philadelphia by Limbert of James Lyle and Robert E Griffith & Co.

The tract colored Green belongs to the Repr's of James Lyle, Hooper and to the Repr's of Robt E Griffith this suspicious shared.

23

N. 55° W. 720 chs.
formerly Stephens
12.500 arps.

S. 33° E. 380 Chains

Lands Surveyed for Cenas

Scale of 100 chains to an inch

N. 57° E. 150 chains

160 Ch. S. West

S. 33° E. 150 chains

Lavedac's tract

This tract was taken by S. Girard from I. Carere wife for a debt of Carrere to Jos.h Lafitte of Paris and on acc.t of Lafitte.

Is not know if the Executors of S. Girard, settled these Concerns with Jos. Lafitte.—

N. 23° E. 360 chs.

formerly Rot.

718

Strahl's line Public Lands

N. 38° W.

Willow

Marsh

Long Bayou

Bayou Macon

Brought of Franklin 2760 arps

S. 31° E.

Formerly Piot's Land

S. 76° 30' W.

This Tract contains 36.549 arps. brought of Adair and 10.000 brought from Caipy.

N. 52° E. Grant's line Public Lands.

S. Claiborne

Division line between Livingston & Morehouse

Red Oak

River Bed

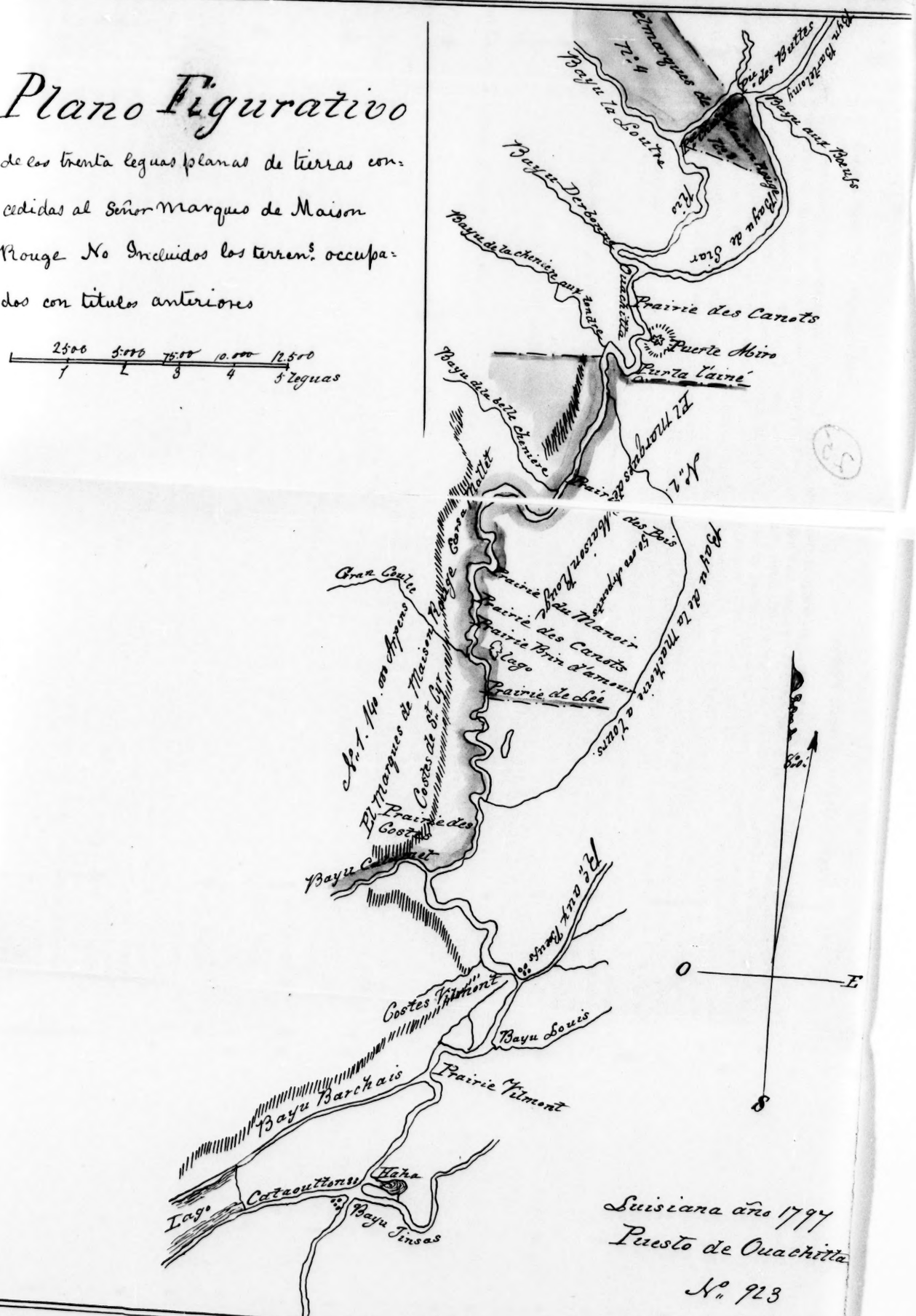
Scale of half an Inch to the mile

N.º 191 – U. S.ºs Turner's claim –
attached to page 58 –

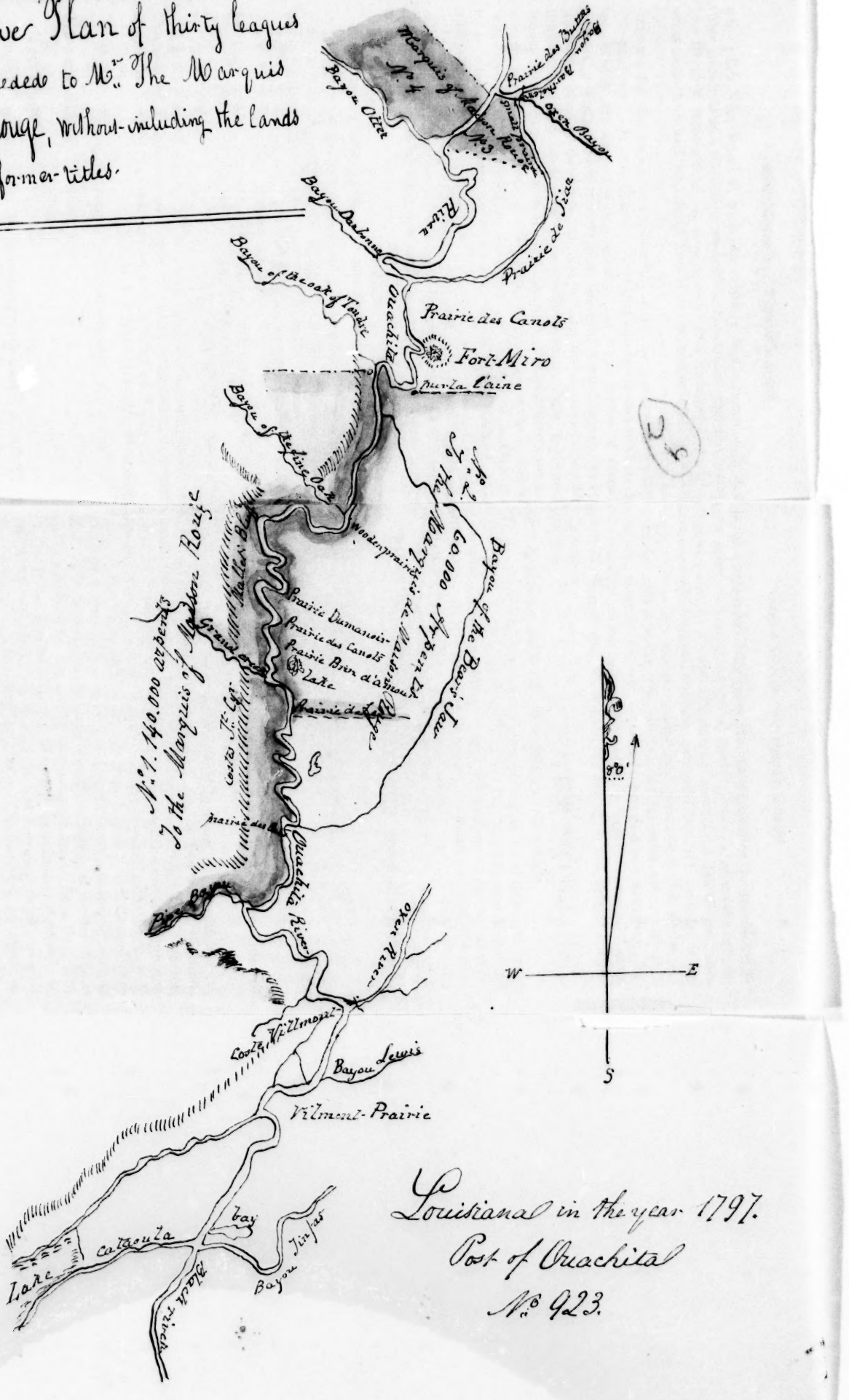
Plano Figurativo

de las treinta leguas planas de tierras concedidas al Señor Marques de Maison Rouge No Incluidos los terrenos occupados con titulos anteriores

2500 5000 7500 10.000 12500
1 2 3 4 5 leguas


Bayu la Source
Bayu Derbonne
Bayu de la Chenière aux Ecores
Prairie des Canots
Puerte Miro
Punta Vainé
Bayu de la Belle Chenière
Prairie Mallet
Gran Coulie
El Marques de Maison Rouge Cortes de S.t Cir
Prairie des Coste
Bayu Cocodrie
Prairie des Canots
Prairie Bois d'amour
Lago
Prairie de Lée
Bayu de la Machoire a Louis
Bayu Louis
Prairie Vilmont
Bayu Barchais
Cortes Vilmont
Lago
Cotaoutteros
Bayu Tinsas
Bayu aux Boeufs
Bayu Plaquemine
Bayu de la Glaise
Bayu des Buttes
Bayu Plaquemine
Prairie des Canots
Prairie Mallet
Prairie des Canots
Prairie du Manoir
Prairie des Canots
Prairie de Lée
Prairie des Canots
Prairie Vilmont
Prairie Vilmont
Prairie Vilmont

Figurative Plan of thirty leagues of Land Conceded to Mr. The Marquis of Maison Rouge, without including the Lands occupied with former titles.



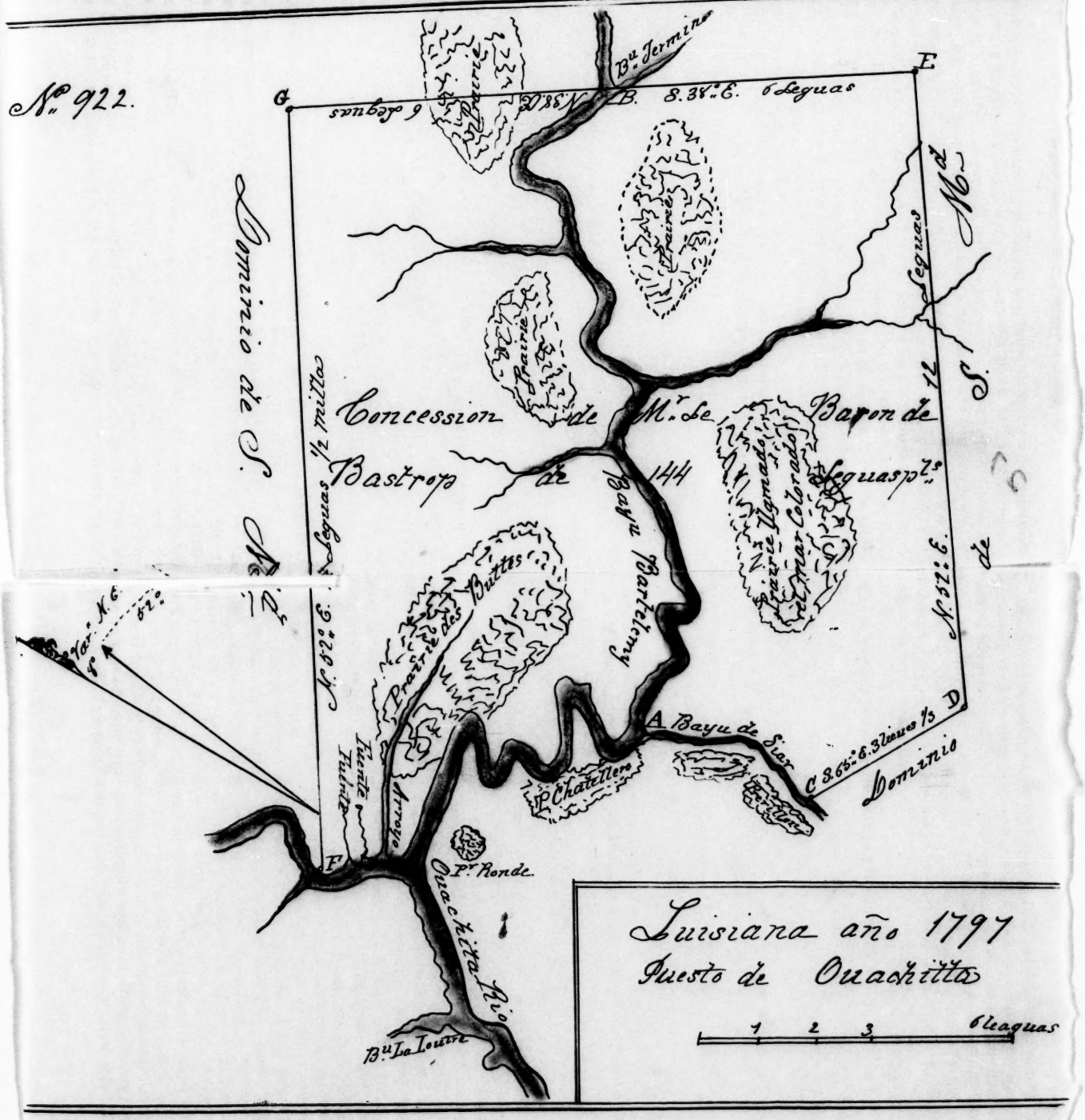
Louisiana in the year 1797.
Post of Ouachita
No 923.

No. 191 – U.S. vs Turner's heirs – attached to page 89 –

Document D. –

A. 43.

No. 922.



G
E
B S. 38° E. 6 leagues
N. 38° W. 6 leagues
Bayou Termino
Prairies
Prairies
Prairies
Leagues
Concession of Mr. the Baron de Bastrop.
of 144 leagues en superficie
Bayou Pratt Rattrang
Prairie ramée
the red Sea
N. 52° E. 12
D
A Bayou de Siard C
Prairie des Buttes
Chatillon
Small praire
Round prairie
Ouachita River
Otter Bayou
F
King's Domain
King's Domain
N. 52° E. 14 Leagues ½ mile
Louisiana year 1797.
Post of Ouachita.
1 2 3 6 leagues

District North of Red River, State of Louisiana

Exhibit A.

Scale 80 Chains or a Mile to the Inch.

T. 17

T 17

References to Tract No. 2.

At A a Sweet Gum tree marked L.C. 56. 55. R6.

" B a post, from which a pine marked 56. 55. R. bears N. 67 E 2 Links & a red Oak marked L.C. N. 18° W 19 Links distant.

" C a post, from which a red Oak bears S 6° E 47 Links, & a red Oak S. 48 W 8 Links distant, all marked 56. 55. R6.

" D a post, from which a Dogwood bears S. 40° E 9 Links, & Dogwood N 15 W 8 Links distant both marked 56. 55. R6.

" E a Cypress post and Hickory tree close together both marked 56. 55. R6.

" F an Overcup Oak for corner from which a Hickory bears N 63° W 20 Links distant, both trees marked 56. 55. R6.

" G a post, a white Oak bears N. 56 W 13 Links & a White Oak N 28° E 14 Links distant all marked 56. 55. R6.

" H a post a Sweet Gum marked 22 bears N. 64° W 63 Links, and a sweet Gum marked 23 S. 68° W 26 Links distant.

" I a post.

" K a post, a White Oak bears N 81. E 15 Links and a Elm, N 18 E. 14 Links distant, all marked 56. 55. R 26.

Var 9° E.

N. Bra

Lewis Girod Point Course

Course

15 Arpens front

I Car asc° 10 Arpens Front: N 69 E. 118 50 Chs

A

B East 80 Chs

C

E East 136.00 Chs

D

S. 9° E. 80.00 Chains

Bayou Chemise au Jours

Bayou Machoir au Jours

Total: 4 Miles 67.50 Chains

B

A

S 180° E. 37.00 Chains

S 45° E. 196.00 Chains

T. 16

T. 16

Ouachita River

Prairie de Bois

12 Miles 25.50 Chains

Glen Filbert 10 Arpens Front

Cut off

Bayou Belle Chemise

29

T.16

T.16

T.15

T.15

The Marquis of Maison Rouge

Tract No 1 140.000 Arpens 118479 23/100 Acres

The Marquis of Maison Rouge

Tract No 2. 60.000 Arpens 50776 85/100 Acres

T.14

T.14

T.13

T.13

Ouachita River

Bayou Bellechasse

Cut off

Lake

Penel Settlement

Lake

Jean Estes Settlement 40 Acres

Ancient Lake

Ancient Lake

Jerry

29

T.13

T 13

Ouachita River

Penn's Settlement.

Pine Island

John Giles Settlement 640 Acres

Annie Delaite

Mrs. Heirs of Jos. Etienne & Morgans Trustees Settlement Confirmed

Bayou Dorcheat

Fort Miro

Capitaine Road

Bayou Calumet

T12.

T.12

R2E

R3E

R.4E

R5E

11 Miles 32.50 Chains

14 Miles 69.50 Chains

9 Miles 32.50 Chains

9 Miles 73.00 Chs

East 313.00 Chains 6 Miles 33.00 Chains

South 9 Miles 69.50 Chains

North 9 Miles 32.50 Chains

Reference to tract No. 1.

A a Locust post from which a red Oak bears N. 56° W 28 Links, and B Locust S. 18° E 11 Links distant all marked Sf. Sf. R 3

" B. a Lightwood post from which a Blackjack bears S. 81° E 50 Links & Spine S 55° W 33 Links distant all marked Sf. Sf Re.

" C, a post, a pine bears N. 42° E. 69 Links, & a white Oak N. 8° W 6.75 Links distant all marked Sf. Sf. Re 7

" D. a post, a pine bears S. 87° E 89 Links, & a pine S. 52° W. 67 Links distant all marked Sf. Sf Re. 8

" E. a post, a pine bears S 73 E 22 Links, & a pine S. 4 W. 50 Links distant all marked Sf. Sf Re 9

" F. a post, & for corner, a red oak bears S 32° E 39 Links distant both trees marked Sf. Sf. R. 12.

" G. a post, a pine bears N. 13 E 14 Links, & a black Oak S 62° E 34 Links distant all marked Sf. Sf R 2 6.

" H, a post, a pine bears N. 52° W. 14 Links, & a pine N. 14 E 81 Links distant all marked Sf. Sf. R. 3

" I a Hickory tree marked MMR 33 at the mouth of the bayou Calumet upper side of the bayou.

(Signed) Ben Simmore Dep: Surveyor

Surveyor Genl's Office —

Donaldsonville La: Oct: 28th 1846

The above a true copy of the original plat of survey on file in this office

P. J. Landry

Surv: Gen La.

29

No. 198 - U. States ex rel Dauterive vs
Between pages 64 & 65

Plan de la terre de Mr. Dauterive
de 84 arpents des deux bords de la Riviere Chox.
ayant sur l'oriental 42 arpents de profondeur
et sur l'occidental limitée par le Bayou Jotieu
arpentée le 16 Fevrier et le 17 Mars 1786.
par ordre de Mr. Estevan Mirs. Gnl. &c.
Pour copie conforme a l'original resté
au depot des plans darpentage des
Attakapas
(Signé) Charles Trudeau

Bayou Jotieu
Marais
Bouquet de chene
Daugane
Partie noyée
Ile des Cyprès
Mrs Grevemberg
Don Louis de Lahoussaye
Don Jn. Rivas
Fabre
Egliz de St. martin
Mrs Normand
Mad Guillaume
Mrs Declouet
Mad Guillaume 41.
Mrs Declouet St. 75. &c. 480 Fs
Mad Guillaume St. 78. &c. 480 Fs
Mad Guillaume 41.
Mrs Normand 4
Egliz de St. martin 6
Fabre St. 75. &c.
Don Jn. Rivas 10
St. 75. &c.
Mrs Grevemberg St. 75. &c.
Louis de Lahoussaye 22
73 E
480 Fs
Mrs Grevemberg
Mad Guillaume 41
St. 78. &c.
Mrs Declouet St. 75. &c. 480 Fs
Mad Guillaume 41.
Mrs Normand 4
Egliz de St. martin 6
Fabre St. 75. &c.
Don Jn. Rivas 10
St. 75. &c.
Mrs Grevemberg St. 75. &c.
Louis de Lahoussaye 22
73 E
480 Fs
Mrs Grevemberg

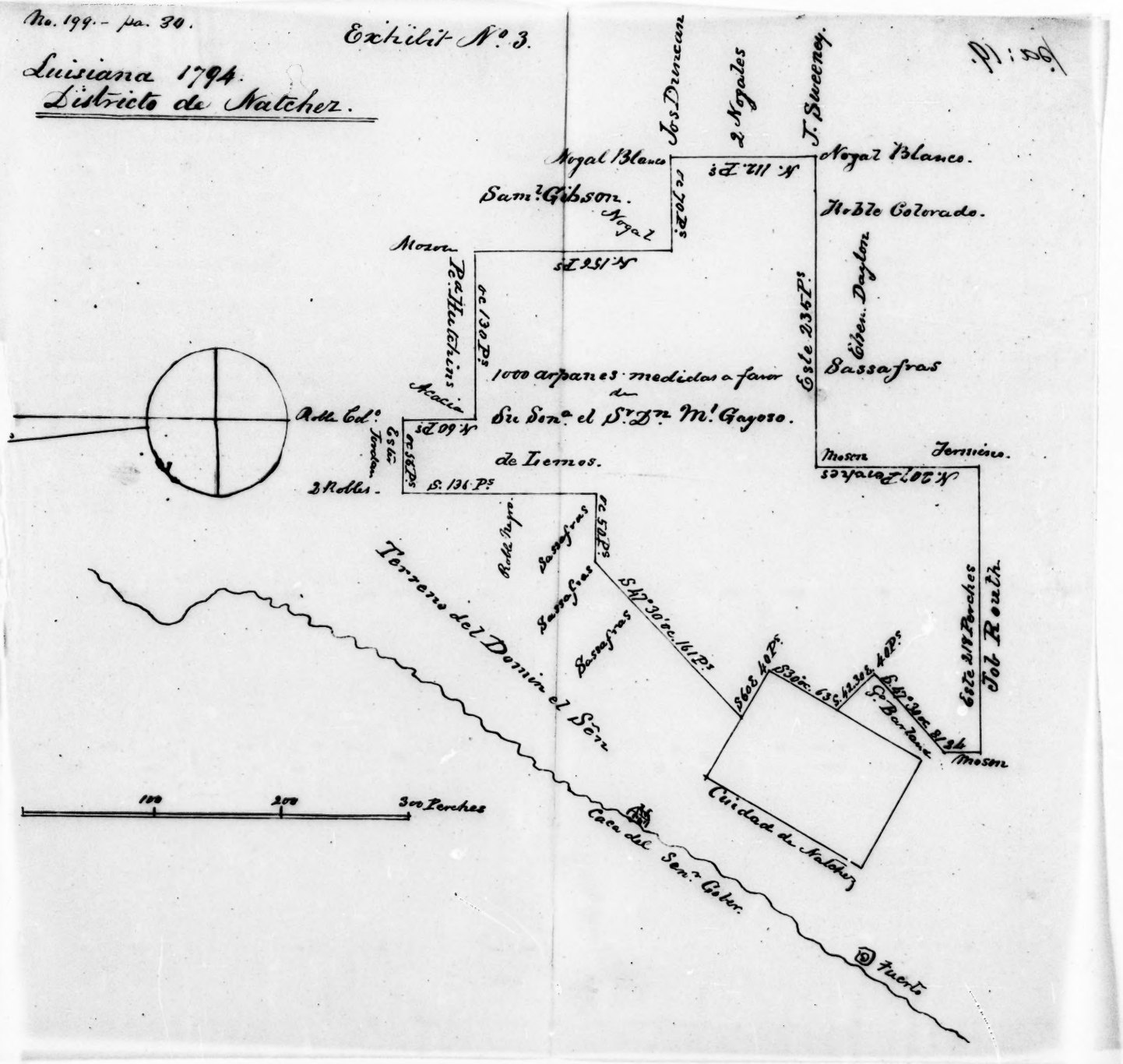
30

No. 199. - pa. 30.

Exhibit N.º 3.

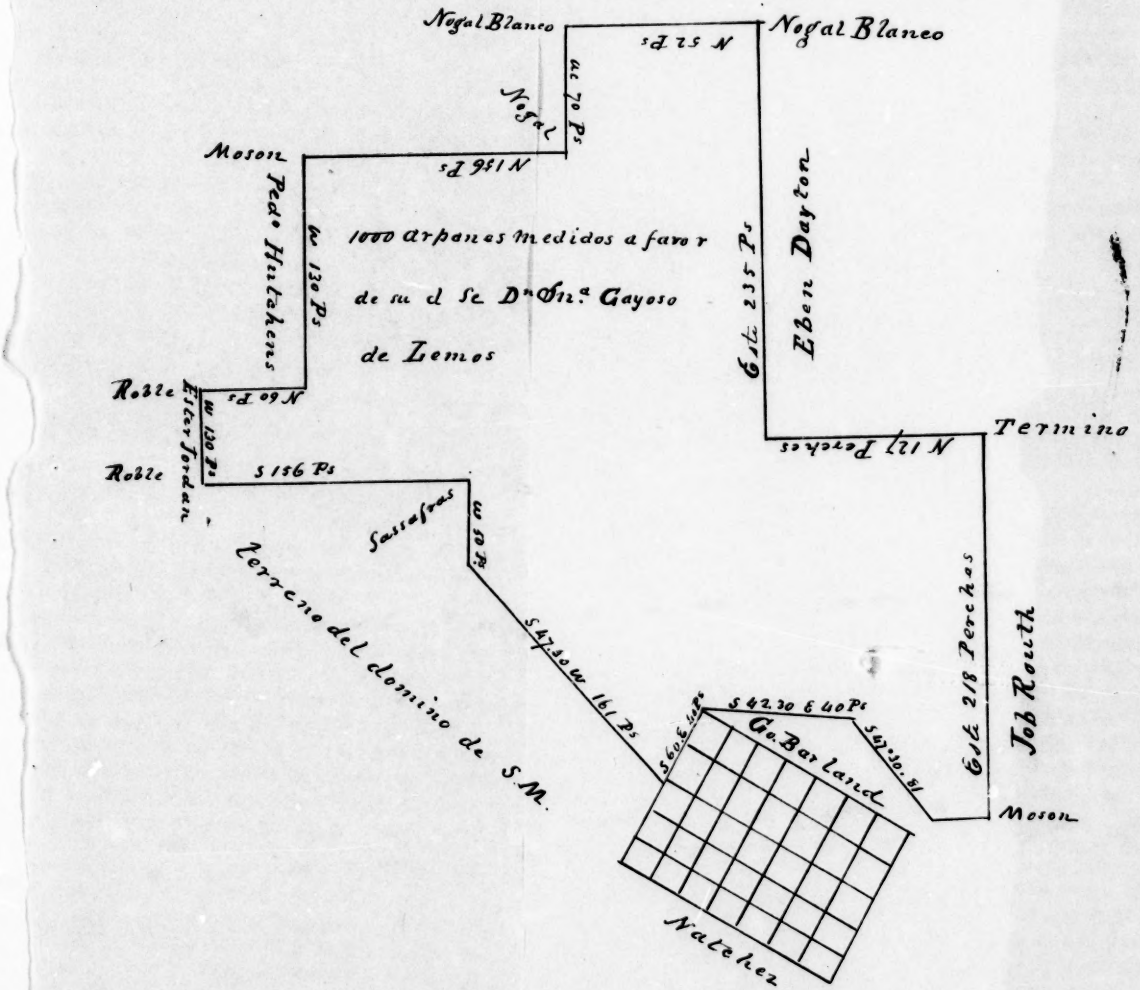
Luisiana 1794.

Distrito de Natchez.



№199 – pa. 28.

(Exhibit № 2.)



Dec 18

Scale of 20 chains to an inch

(3)

Plan of Concord

The
Plantation and Residence
of the late
Major Stephen Minor

Re-surveyed January 27. 1829

Geo. Doughorty Sur.
of Adams County

Est D. Grafton

N. 86. 30. E. 53. 50

Red Oak

Red Oak (dead)

Est W. Barland

Red Oak. W.B.

S. 72.° E 51. 50

N° 197 pa: Robinson to Minor

Red Oak S.M.

N. 5 W.S. yr.

John B Nevitt

A

N. 2.° W. 38. 50

Ditch

Field field

East

Timbered land.
283. acres

Est Ch. Ivy

N. 20 W. E. 36.50

Hickory Stump

Mississippi River

E. Bowls
67½ acres

Fine Ridge Road

E. L. Bennett
188. acres

Cotton field

Old field

Corn field

N. 87.° E. 52. 50

Cotton field

Cotton f.d

Cotton f.d

Bridge

Cotton field

S. 54.° 30. E.

Large and deep Bayou

Cotton field

Corn field

B. 770. 7/100 acres

Hickory

N. 88. E. 76. 80.

Post

N. 38° W. 6. 16

N. 38° W. 6. 21.60

Stake

Lot G
91. 16 acres

Road to Port Gibson

Bridge

Est A.S. Thompson Esq

N. 2.° W. 6. 88

N. 87. E. 17. 50

China

N. 44½ E. 50. 07 chs

N° 38
H
27. 56. acres
Beaumont
16. 50

N° 39.
I
20. 20 acres

14. 56

C 411. 25. acres

D
51. 75 acres

33. 14 chs

City

Road to Washington

Hickory

13. 07 chs

19. 53 chs

N. 86. 27 E. 56. 20

James Moore

10. 70 chs

Nos	acres	Hds
Lots	15	42
B	770	17
C	410	25
D	51	75
E	188	50
F	67	50
G	31	16
H	27	56
I	20	20
186	8.	50

Acres

No. 199 — f.a 101.

(34)

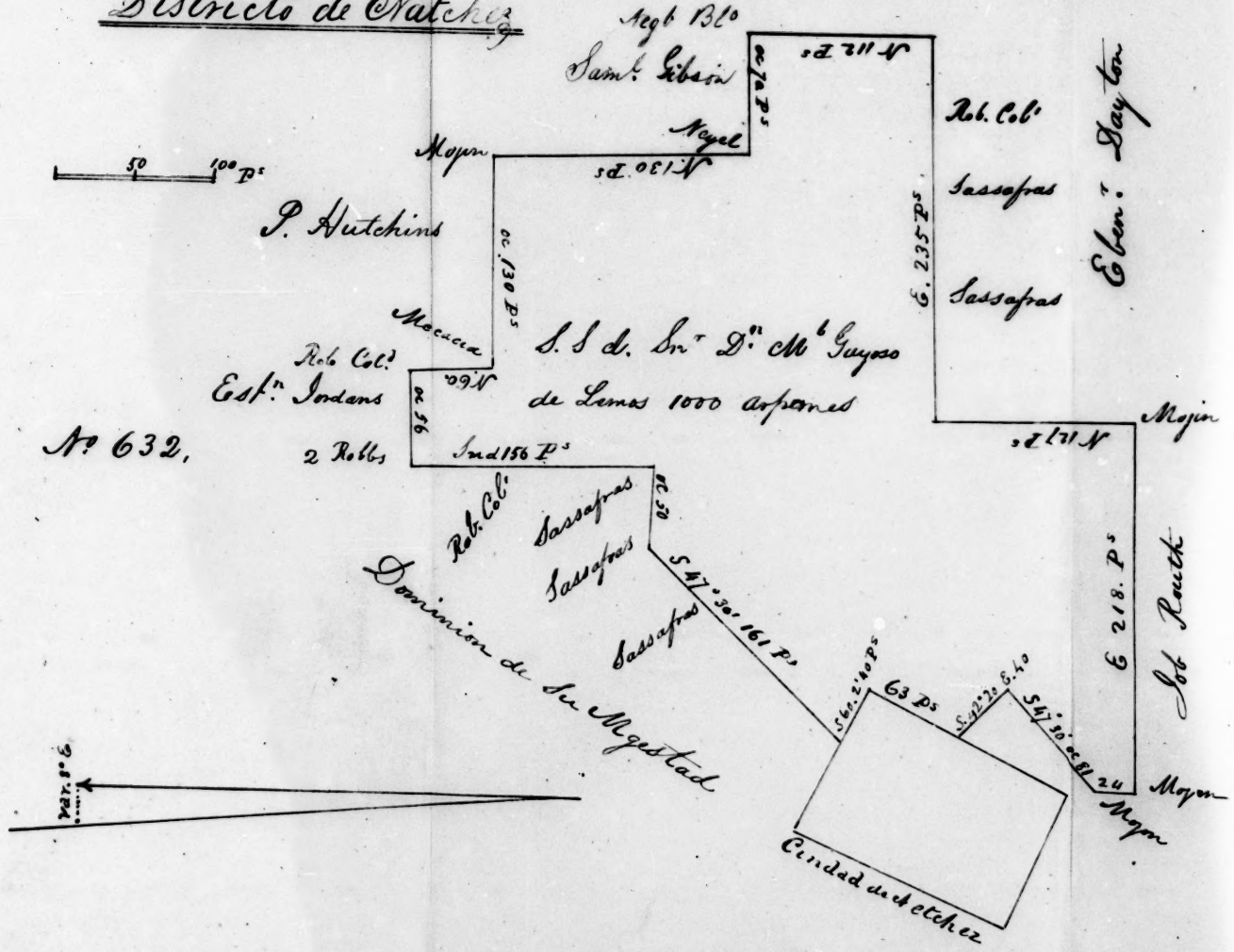
Dupt. de

Luisiana 1799

Districto de Natchez

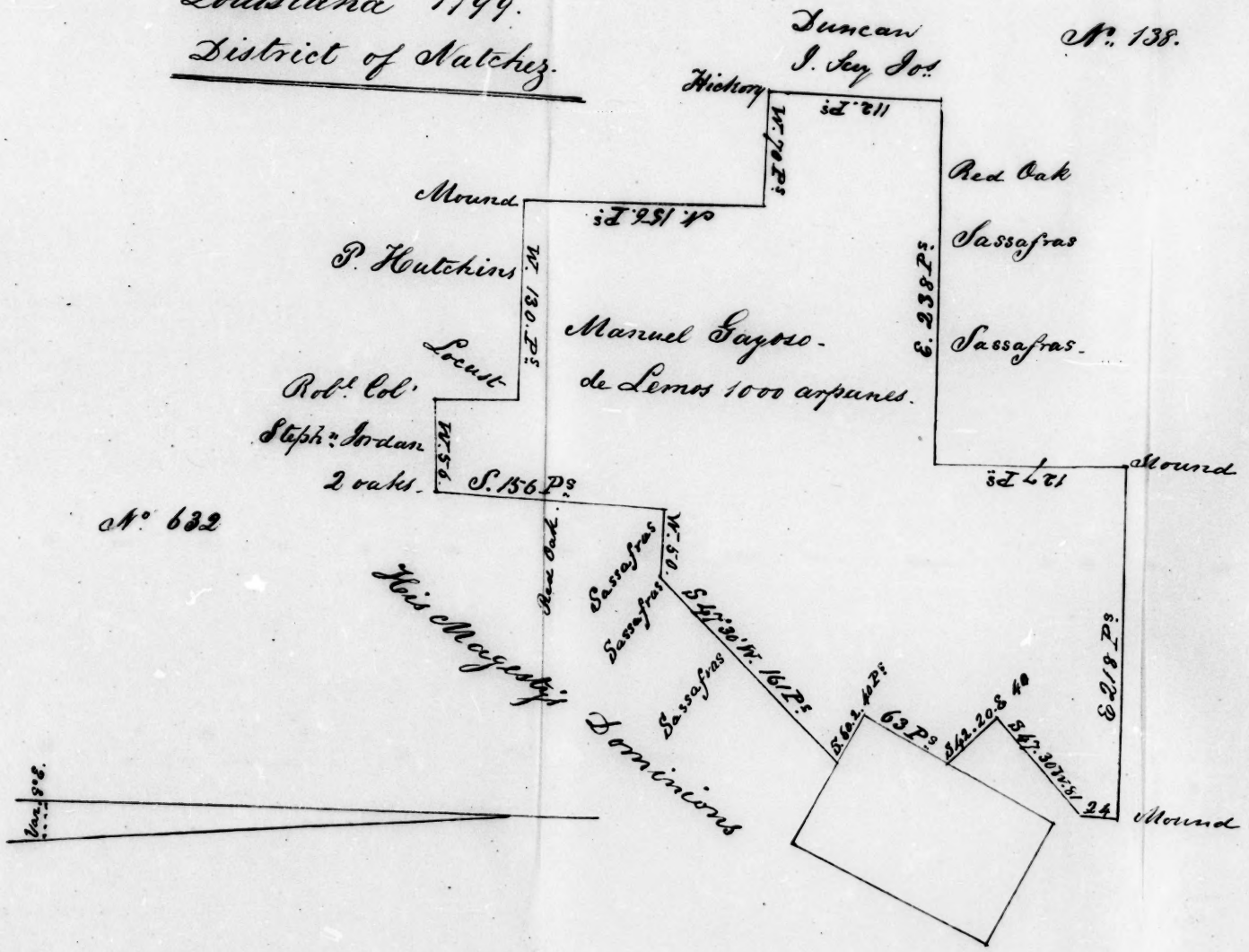
Dunc.n

I Suy Jos No. 138



N°. 199. pa: 103.

(32)

Louisiana 1799.

District of Natchez.